

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

WRIT PETITION NO.539/2022

WAVE, a Partnership Firm, Nagpur
and others

... Petitioners

- Versus -

The Assistant General Manager,
Bank of Baroda, Dharampeth Branch,
Nagpur and another

... Respondents

Mr. R.W. Joshi, Advocate for the Petitioners.

Mr. S.N. Fuladi, Advocate for the Respondents.

CORAM : NITIN JAMDAR AND
ANIL L. PANSARE, JJ.

DATE : 21 MARCH 2022

P.C. :

Heard learned Counsel for the parties.

2. The Petitioners have challenged the show cause notice issued by Respondent No.1-Bank as to why the Petitioners should not be declared as wilful defaulters.

3. The Petitioners have admittedly availed of loan facility from the Respondent-Bank on 4 April 2014 which has not been repaid. The Respondent-Bank has initiated the proceedings under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. The Petitioners account has been declared as a non-performing asset in May 2019. In light of these facts, if a show cause notice has been issued to the Petitioners, no interference in writ jurisdiction is warranted. Whatever be the contentions of the Petitioners sought to be raised in this petition, the Petitioners can always state so while showing cause. Writ petition is accordingly rejected.

(ANIL L. PANSARE, J.)

(NITIN JAMDAR, J.)

Tambaskar.