

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 775 of 2020

Sukhpal Singh s/o Surjeet Singh Bhullar and others.

Vs.

Tata Capital Housing Finance Ltd. and another.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.S.Dhore, Advocate for petitioners.
Shri Atul Pande, Advocate for respondents.

CORAM :- A.S.CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.
DATE :- JULY 20, 2022

The challenge raised in this writ petition is to the order passed by the Presiding Officer, Debts Recovery Tribunal, Nagpur on 21.01.2020. By that order, the petitioners were called upon to deposit an amount of Rs.3,00,000/- within a period of three days and further to deposit Rs.20,000/- per month by the 10th of each month.

When notice was issued in the writ petition, the petitioners were directed to deposit the amount of Rs.3,00,000/- with the respondent no.1. Subject to deposit of the amount, the possession of the petitioners was protected. It is informed that the aforesaid amount has been deposited with the respondent no.1.

The learned counsel for the petitioners submitted that application filed under Section 17 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 is pending before the Debts Recovery Tribunal.

In that view of the matter, the petitioners can be permitted to agitate their legal rights in those proceedings before the Tribunal.

Accordingly, with liberty to the petitioners to agitate their grievances as raised before the Tribunal and continuing the interim protection granted on 20.02.2020 for a period of fifteen days from today, the writ petition is disposed of. No costs. Points raised in this writ petition are kept open.

(URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

Andurkar.