

1.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
WRIT PETITION NO. 3660 OF 2019

1. M/s. Taksh Cold Chain,
Through its Partner, Darshan Maoharlal
Bhoot Deegee House, Devrankar Nagar,
Badnera Road, Amravati - 444603

2. Darshan Monoharlal Bhoot
Aged 36 years, Occ.: Business

3. Poonam Darshan Bhoot
Aged 34 years, Occ.: Business

4. Aditya Monoharlal Bhoot
Aged 34 years, Occ.: Business

5. Pallavi Aditya Bhoot
Aged 32 years, Occ.: Business

6. Manoharlal Devkaranji Bhoot
Aged 66 years, Occ.: Business,
Petitioners 2 to 6
All R/o Deegee Estate, Devrankar
Nagar, Amravati – 444 607

7. MDA Agrocot Pvt. Ltd.
Through its Director
Aditya Monoharlal Bhoot
Shop Nos.21, 22, Gulshan Towers,
Moffisal Plot, Amravati – 444401

.. Petitioners

Versus

The Authorized Officer
UCO Bank, Flagship Corporate Branch,
Mafatlal Centre, 1st Floor,
Nariman Point, Mumbai – 400021

.. Respondent

Mr. Rohan Chandurkar, Advocate for petitioners.

Mr. S.V. Bhutada a/w Mr. Yash J. Maheshwari, counsel for respondent.

**CORAM : SUNIL B.SHUKRE &
VALMIKI SA MENEZES JJ.**

DATE : 08.09.2022.

ORAL JUDGMENT (Per :Sunil B.Shukre, J.)

1. Heard.
2. **Rule.** Rule made returnable forthwith. Heard finally by consent of the learned counsel appearing for the parties.
3. We are of the view that this petition can be disposed of, if clarification and a rider is added to the impugned notice. Accordingly, we clarify that no forcible possession can be taken on the strength of the impugned notice and if it is taken, it shall be only in accordance with law in particular, after obtaining an order from Competent Authority under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002t.
4. The petition stands disposed of with the above clarification and rider. Rule is made absolute in above terms . No costs.

JUDGE***JUDGE***

Kavita.