

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

WRIT PETITION NO.5476 OF 2021

Shri Sandeep s/o Harish Kewlani
and others

... Petitioners

- Versus -

Union of India and others

... Respondents

Shri Rohan Chandurkar, Advocate for Petitioners.

Shri N.S. Deshpande, Assistant Solicitor General of India for
Respondent Nos.1 and 2.

Shri M.G. Qubbawala, Advocate for Respondent No.3.

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

DATE : 2 MARCH 2022

P.C. :

This petition was filed challenging the orders passed by the Debt Recovery Tribunal, dated 10 November 2011 and 30 November 2021. The petition was filed because the Debt Recovery Appellate Tribunal was not functional.

2) The learned Counsel for the parties inform that the Debt Recovery Appellate Tribunal has resumed functioning. If

that be the position, it is not necessary to proceed further in this petition.

3) Shri Chandurkar, learned Counsel for the Petitioners, states that interim order granted in this petition be continued for some time so that the Petitioners can apply before the Debt Recovery Appellate Tribunal.

4) Interim order was granted on 21 December 2021 on condition of deposit of Rs.25,00,000/- in the loan account. Shri Qubbawala, learned Counsel for the Respondent Bank, confirms that the amount was deposited.

5) Considering above facts, while we dispose of this petition, the interim protection granted is continued for a period of three weeks from today. Further order regarding interim relief, if any, would be considered by the Debt Recovery Appellate Tribunal on its own merits and without being influenced by the order of continuation.

6) Writ Petition is disposed of. All contentions on merits are kept open.

(ANIL L. PANSARE, J.)

(NITIN JAMDAR, J.)

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