

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

WRIT PETITION NO.6465/2022

Raju Mansaram Bankar .vs. Bank of Maharashtra, through its Branch Manager,
Dist. Bhandara and Others.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. Joshi, Advocate for petitioner.

CORAM : A. S. CHANDURKAR & ANIL L. PANSARE, JJ.
DATE : DECEMBER 9, 2022.

The petitioner has preferred securitization application before the Debts Recovery Tribunal under Section 17 of the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002. The petitioner is faced with recovery proceedings wherein sale certificate has been issued in favour of respondent no.4. The petitioner apprehends dispossession pursuant to such sale certificate. It is submitted by learned counsel for petitioner that though the application for interim relief has been moved before the DRT, the interim prayer made therein has not been considered. Only a notice has been issued thereon. The proceedings have now been posted on 08.02.2023.

In these facts, the petitioner is permitted to make a request to the DRT, Nagpur to take up the interim application for consideration of the interim prayer made therein prior to the next date of the proceedings, especially in the backdrop of the petitioner seeking relief with regard to the residential house occupied by him. If such a request is made the Tribunal

to consider same in accordance with law and orders thereon be accordingly passed.

All the points raised in the petition are kept open for being raised accordingly.

The writ petition is disposed of. No order as to costs.

(Anil L. Pansare, J.)

(A. S. Chandurkar, J.)

kahale