

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

WRIT PETITION NO.7668 of 2022

M/s.D.R.Agency through its Proprietor -Mr. Rashmikant Mishra
vs.

The Authorized Officer, State Bank of India, Nagpur.

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

Court's or Judge's Order

S/Shri R.K.Deshpande and A.R.Deshpande, Advocate for petitioner.

CORAM :- A.S.CHANDURKAR AND ANIL L.PANSARE, JJ.

DATE :- DECEMBER 07, 2022

Challenge is raised to the order dated 29.09.2022 passed by the learned Magistrate on an application under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, the said Act).

We find that remedy under Section 17 of the said Act is available to the petitioner for seeking redressal of his grievance. However considering the fact that the mortgaged property is a residential house and with a view to enable the petitioner to avail the statutory remedy, it is directed that for a period of one week from today, no coercive steps be taken to enforce the order dated 29.09.2022.

With liberty to the petitioner to avail the statutory remedy and by keeping the points raised in the writ petition open, the writ petition is disposed of. No costs.

The authenticated copy of this order be supplied to the learned counsel for the petitioner.

(ANIL L.PANSARE, J.)

(A.S.CHANDURKAR, J.)

Andurkar.