

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.1241 OF 2023

**M/S SHIVSHANKAR COTTON PROP DHANANJAY
KISANRAO MOTALE
VERSUS
THE TAHSILDAR AURANGABAD AND ANOTHER**

...
Advocate for Petitioner : Mr. Laxman H. Kawale
AGP for Respondent/State : Mr. P.K. Lakhotiya
...

**CORAM : MANGESH S. PATIL AND
S.G. CHAPALGAONKAR, JJ.**

DATE : 31.01.2023

PER COURT :

Heard the learned advocate for the petitioner.

2. The petitioner is aggrieved by the fact that the order under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 has been put to execution and he would lose possession today in spite of the fact that already he has challenged that order and was seeking interim relief but the application has been rejected by the Debts Recovery Tribunal on 30.01.2023.

3. Since the order under challenge is susceptible to a further appeal to the Debts Recovery Appellate Tribunal, the petition would not be maintainable but since the order is passed yesterday, just to enable the petitioner to challenge it before the DRAT, we dispose of the writ petition by putting the petitioner to condition of depositing an amount of Rs.5,00,000/-

(Five Lakh Rupees only) today with the respondent Bank and another Rs.5,00,000/- (Five Lakh Rupees only) by tomorrow. Subject to such deposit being made, the *status quo* in respect of the possession of the secured assets, as is obtaining today shall be maintained for the period of one week.

4. Parties to act on the authenticated copy.

(S.G. CHAPALGAONKAR, J.)

(MANGESH S. PATIL, J.)