

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 336 OF 2022

M/s Upkar Press Metal Work ... Petitioner
vs.
The Authorized Officer
Punjab National Bank and Ors. ... Respondents

None for the parties.

CORAM : NITIN JAMDAR AND
ABHAY AHUJA, JJ.
DATE : 2 FEBRUARY 2023

P.C. :

. None for the Petitioner.

2 Petition has come up in regular course and has not been circulated. Earlier also when the Petition was called out on 19 January 2022, none had appeared for the Petitioner.

3 Petitioner has sought to question the action taken by the Respondent- Secured Creditor under SARFAESI Act, 2002, against which remedy is available before the Debt Recovery Tribunal. Considering the manner in which the Petition is being prosecuted, it appears that the Petitioner has lost interest in prosecuting this Petition.

4 Petition is dismissed for non-prosecution.

Nikita Gadgil

5 If any application for restoration is sought by the Petitioner, the Petitioner to first demonstrate as to why the Petitioner could not have availed the remedy of approaching the Debt Recovery Tribunal.

(ABHAY AHUJA, J.)

(NITIN JAMDAR, J.)