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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 360 OF 2023

Mr.Navinchandra Ganesh Hotkar & Anr. ... Petitioners

vs.

KNS Bank Ltd. (The Kurla Nagrik
Sahakari Bank Ltd.) & Anr. ... Respondents

.....

Mr.Akshay R. Kapadnis for the Petitioners.

.....

**CORAM : NITIN JAMDAR &
ABHAY AHUJA, JJ.**

DATE : 17 JANUARY 2023

P.C. :-

After being reminded of the settled position of law that a remedy of the borrower to challenge the action taken by the secured creditor under the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 lies to the Debt Recovery Tribunal, the learned Counsel for the Petitioners seeks leave to withdraw the petition to challenge the said action in Debt Recovery Tribunal. Keeping all contentions of the parties open, we dispose of the writ petition.

2. The writ petition is accordingly disposed of.

ABHAY AHUJA, J.

NITIN JAMDAR, J.

