

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

WRIT PETITION NO. 2222 OF 2023

M/s Sai Builders and Ors. ... Petitioners
vs.
The State of Maharashtra and Ors. ... Respondents

Mr. Sujeet Bugade for Petitioners.
Mrs. Shruti D. Vyas, 'B' Panel Counsel for State-Respondents No. 1 to 3.
Mr. Dilip Shinde for Respondent No.4.

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

DATE : 28 FEBRUARY 2023

P.C. :

. Petitioner is a borrower who is questioning the action taken under Section 14 of the SARFAESI Act at the behest of the Respondent – Secured Creditor. It is more than settled that in this contingency the borrower has a remedy of approaching the Debt Recovery Tribunal, where all contentions as are available in law and fact are available to be urged.

2 This position has been reiterated by the Hon'ble Supreme Court in series of the cases. Keeping all contentions of the parties open, in case the Petitioner approaches the Debt Recovery Tribunal, Writ Petition is disposed of.

(ABHAY AHUJA, J.)

(NITIN JAMDAR, J.)