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

WRIT PETITION NO. 2043 OF 2023

Gita Jitendra Shah and Anr.

... Petitioners

V/s.

The State of Maharashtra and Ors.

... Respondents

Mr. Pramod Bhosle with Mr. Praful Valvi i/b. Devika Nigade for the
Petitioners

Ms. Shruti D. Vyas, 'B' Panel Counsel for the Respondent - State

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

DATE : 17 FEBRUARY 2023

P.C. :-

The Petitioners are taking exception to the steps taken by the Respondent – secured creditor under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act (SARFAESI), 2002. It is settled law that 'any person' aggrieved by the action of the secured creditor under Section 14 of the SARFAESI Act has a remedy of approaching the Debts Recovery Tribunal under Section 17 of the SARFAESI Act. In spite of this settled law, the Writ Petitions are still being filed without any valid reason. This Petition is one more such instance.

2. Keeping all contentions of the parties open in case the Petitioners to approach the Debts Recovery Tribunal, the Writ Petition is disposed of.

ABHAY AHUJA, J.

NITIN JAMDAR, J.

JYOTI
PRAKASH
PAWAR

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