

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

**WRIT PETITION NO. 2543 OF 2023**

TRUPTI  
SADANAND  
BAMNE

Ramdevi R. Prajapati

... Petitioner

vs.

IDFC First Bank Ltd. & Ors.

... Respondents

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by TRUPTI  
SADANAND  
BAMNE  
Date: 2023.03.01  
14:43:57 +0530

.....

Mr. Minesh K. Shah for the Petitioner.

Mr. R.L. Motwani for Respondent No.1.

.....

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

**DATE : 27 FEBRUARY 2023**

**P.C. :-**

The Petitioner has challenged the order dated 3 February 2023 passed by the Debt Recovery Tribunal, Mumbai rejecting the interim reliefs sought for by the Petitioner. Thereafter, the Petitioner has filed an appeal before the Debt Recovery Appellate Tribunal, Mumbai wherein the DRAT has directed the Petitioner to deposit the amount as it mandated as per the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. The amount is directed to be deposited in three installments. The Petitioner has deposited the first installment. According to the Petitioner, the second installment is due today. However, a copy of the order passed by the DRAT is not available.

2. The learned Counsel for the Petitioner states that the Petitioner wants to challenge the order passed by the DRAT as regards the quantum. However, the Petitioner cannot do so since a copy of the order is not yet uploaded. The learned Counsel for the Petitioner states that the first installment is of Rs. 4.5 lakhs, the second installment is of Rs. 5.5 lakhs and the third installment is of Rs. 10 lakhs.

3. The learned Counsel for Respondent No.1- Bank states that the order was dictated in the Court. The Petitioner has already deposited the first installment and therefore, the ground of the Petitioner that the Petitioner cannot deposit the amount because the order is not uploaded is not correct. The learned Counsel for Respondent No.1- Bank contends that indulgence has already been granted by the DRAT by reducing pre-deposit of 50%.

4. As regards the second installment is concerned, since the last day is today, we grant four working days time to the Petitioner to deposit the second installment. As regards to challenge of the Petitioner to the order passed by the DRAT is concerned, the third installment is due on around 18-20 March 2023 which will give sufficient time to the Petitioner.

5. The writ petition is accordingly disposed of.

**ABHAY AHUJA, J.**

**NITIN JAMDAR, J.**