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

**WRIT PETITION NO. 8266 OF 2021
WITH
INTERIM APPLICATION NO. 1430 OF 2022
IN
WRIT PETITION NO. 8266 OF 2021**

Mr. Rajendra Ghai and Anr. ... Petitioners/Applicants

vs.

SVC Coop. Bank Ltd. & Anr. ... Respondents

.....

None for the Petitioners/ Applicants.

Mr.Apoorva Kulkarni i/b. M/s.V.Deshpande and Co. for
Respondent No.1.

Ms. Bijal Gogri i/b. GNP Legal for Respondent No.2.

.....

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

DATE : 28 MARCH 2023

P.C. :-

None appears for the Petitioners. The Petitioners have challenged the order dated 8 December 2016 passed by the District Magistrate, Thane under section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. It is settled law that as against this order, the parties would have a remedy before the Debt Recovery Tribunal.

2. The learned Counsel appearing for the respective Respondents point out that the Petitioners have already filed an application before the DRT under section 17 of the SARFAESI Act of 2002. Thereafter, the Petitioners have also filed an appeal in the Appellate Tribunal. In the appeal, the Appellate Tribunal has noted that the parties are trying to resolve the disputes. The learned Counsel appearing for the respective Respondents have placed before us the order dated 18 November 2022 passed in Appeal No. 12 of 2020. Since the Petitioners have an alternate remedy which the Petitioners have already availed of, keeping all contentions of the parties open, the writ petition is disposed of.

3. In view of disposal of the writ petition, nothing remains in the interim application and the same is accordingly disposed of.

ABHAY AHUJA, J.

NITIN JAMDAR, J.