

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3792 OF 2022

PNB Housing Finance Ltd.

... Petitioner

vs.

Union of India and Ors.

... Respondents

Mr. Sanjay Anbhawane for Petitioner.

Mr. Mayur Khandeparkar with Mr. Pankaj Uttarodhi for Respondent
No.2.

CORAM : NITIN JAMDAR AND
ABHAY AHUJA, JJ.

DATE : 10 APRIL 2023

P.C. :

. Heard learned Counsel for the parties.

2 Petitioner, a financial institution is aggrieved by the order passed by the Debt Recovery Appellate Tribunal dated 23 October 2019. The Appellate Tribunal in an Appeal which was filed in an order passed in an interlocutory application has remanded the proceedings to the Debt Recovery Tribunal. The Securitisation Application is still pending.

3 Learned Counsel for the Petitioner-Bank states that it is in the interest of the Petitioner-Bank that the Securitisation Application is decided early, however, the Petition is filed because of certain observations are made against the officers of the Petitioner by the

Debt Recovery Appellate Tribunal.

4 We have gone through the said observations. The observations were made in the context of remand and the main proceedings are still pending. The observations, as the impugned order itself would indicate are prima facie. We further clarify and reiterate that the observations not to be treated as final as these observations may prejudice the parties when the proceedings are taken up for adjudication on merits. Clarifying the above position, we dispose of the Writ Petition.

(ABHAY AHUJA, J.)

(NITIN JAMDAR, J.)

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