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

WRIT PETITION NO. 3553 OF 2023

Pradnya Prakash Humane and Ors.

... Petitioners

V/s.

Bank of India and Ors.

... Respondents

Mr. Kishor M. Maru for the Petitioners

Mr. O.A. Das for Respondent No.1

Mr. Dilip H. Shukla with Ms. Priya Pandey for the Respondent Nos.
3 and 4

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

DATE : 28 MARCH 2023

P.C. :-

In spite of the remedy to the Petitioners available in the Debts Recovery Tribunal (DRT) and that as pointed out by the Respondent – Secured Creditor, the Petitioners have already applied the DRT, yet the Writ Petition is filed.

2. The Hon'ble Supreme Court, in series of decisions have laid down that in such circumstances writ jurisdiction would not

be appropriate as the remedy is lies in the DRT. We find no exceptional circumstances in this case.

3. The Writ Petition is dismissed.

ABHAY AHUJA, J.

NITIN JAMDAR, J.

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