

JPP

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

WRIT PETITION NO. 3527 OF 2023

Mr. Satpal Mahadeo Gavade,
Prop. M/s. Shambhudeo Petroleum and Ors. ... Petitioners

V/s.

The Authorized Officer,
The Deccan Merchants Co-op. Bank Ltd. and Ors. ... Respondents

Mr. Sushant S. Prabhune for the Petitioners
Mr. Bhushan Walimbe for Respondent No.1

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

DATE : 20 MARCH 2023

P.C. :-

Heard the learned Counsel for the parties.

2. The Petitioner has moved this Petition before us as the auction of the property is scheduled today and the Debts Recovery Tribunal, Pune is not available till 24 March 2023 as the public notice has been issued that the Member is attending the conference at Bhopal.

3. The learned Counsel for the Petitioners states that the Petitioners have already moved a substantive application before the DRT and the same is pending. The Petitioner can take out a fresh interim application in the said application. As per the governing rules, the confirmation of the sale takes after the stipulated period. This is not a case wherein the writ jurisdiction should be exercised. In Writ Petition (St.) No. 8056 of 2023 we have already observed that the DRT should make an alternate arrangement whenever such contingencies arise.

4. Keeping all contentions of the parties open, the Writ Petition is disposed of.

ABHAY AHUJA, J.

NITIN JAMDAR, J.