

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

WRIT PETITION NO.3688 OF 2023

Mrs.Sultana Shaikh Abdul Rashid ... Petitioner

V/s.

Canara Bank and ors. ... Respondents

Ms.Rehana Begum, Advocate for the Petitioner.

Ms.Shruti Vyas, "B" Panel Counsel for the State.

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

DATE : 21 MARCH 2023.

P.C.:-

1. The Petitioner is seeking to question the action taken by the Respondent No.1-secured creditor under the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ("SARFAESI Act" for short). The Petitioner has already filed substantive proceedings in the Debt Recovery Tribunal ("DRT" for short). Learned counsel for the Petitioner states that the DRT is on leave.

2. Learned counsel for the Respondent No.1-Bank states that alternate arrangement has been made by notifying the date yesterday

evening. Since the application is pending before the DRT, we are not inclined to interfere in the merits of the case. If the Respondent No.1-Bank is inclined to take date of possession today, the same shall be deferred to 27 March 2023 so that Petitioner can apply for necessary reliefs in the pending application.

3. Writ Petition is accordingly disposed of.

(ABHAY AHUJA, J.)

(NITIN JAMDAR, J.)

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