

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

WRIT PETITION NO. 5591 OF 2023

Santosh Vasant Patil ... Petitioner
vs.
State of Maharashtra and Ors. ... Respondents

Mr. Mahesh Vishwakarma for Petitioner.

**CORAM : NITIN JAMDAR AND
ABHAY AHUJA, JJ.
DATE : 19 APRIL 2023**

P.C. :

. Petitioner is aggrieved by the action taken by the Respondent No.5- Secured Creditor under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ("SARFAESI Act"). According to the Petitioner, Petitioner is neither a borrower nor a guarantor but is a developer unconnected with the dispute. Even assuming so, in view of the Section 17 of the SARFAESI Act, Petitioner would have a remedy of approaching the Debt Recovery Tribunal. It has been emphasized by the Hon'ble Supreme Court in various decisions that SARFAESI Act is a complete code. Since the remedy is available to the Petitioner, keeping all the contentions of the parties open, we dispose of the writ petition.

(ABHAY AHUJA, J.)

(NITIN JAMDAR, J.)