

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10015 OF 2022
WITH
INTERIM APPLICATION NO. 17043 OF 2022
IN
WRIT PETITION NO. 10015 OF 2022

Nilesh Satish Kanade and Anr.

.. Petitioners.

Versus

The Authorised Officer, Shri Nitin

S. Apte, LIC Housing Finance Ltd. & Anr.

..Respondents.

Mr. Shivanand Marbe, i/by Mr. Sushil Nimbkar for the Petitioner.
Mr. Akash S. Acharya for Respondent Nos.1 and 2.

**CORAM : NITIN JAMDAR &
SHARMILA U. DESHMUKH, JJ.**

DATE : 6 APRIL 2023.

P. C. :

On 8 March 2023, following order was passed :

“The Petitioner has challenged the order passed by the Debt Recovery Tribunal (DRT). The learned Counsel for the Respondent points out that as against this order, the respondents had remedy of filing an appeal before the Debt Recovery Appellate Tribunal (DRAT).

2. By the order dated 24 August 2022, the Division

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Bench of this Court has refused interim order and perhaps the petitioner has lost interest in prosecuting this Petition. However, by way of indulgence stand over to 6 April 2023 under the caption 'For Dismissal'.

2. Even though the Petition is listed on board in admission under the caption “For Dismissal”, today, the advocate for the petitioner is not present.

3. In view of the earlier order where we have also noted that the petitioner has an alternate remedy, the writ petition is dismissed.

4. In view of the disposal of writ petition, Interim Application does not survive and the same is accordingly disposed of.

(SHARMILA U. DESHMUKH, J.)

(NITIN JAMDAR, J.)