



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

WRIT PETITION NO. 13374 OF 2023

M/S Siddhivinayak Communication

...Petitioner

Versus

State Of Maharashtra And Ors

...Respondents

Adv. Minal Chandnani i/by Jaiwant Chandnani Associates, Advocates for Petitioner.

Mr. A.I. Patel Addl G.P. a/w M.M. Pabale AGP, for the State/Respondent No. 3

Adv. Shreyash Desai i/by M/s. U. Deshpande & Co., Advocates for Respondent No. 2/Bank.

**CORAM : B. P. COLABAWALLA &
M.M. SATHAYE, JJ.**

DATE : OCTOBER 31, 2023

P. C.

1. The above Writ Petition is filed seeking the following reliefs :-

“b. That this Hon’ble Court may be pleased to call for the records and proceedings pertaining to the proceedings pending before the Debts Recovery Appellate Tribunal bearing (D) no. 720 of 2023 And after examining the legality and validity of the Impugned Order, be pleased to stay the operation and execution of the Impugned Notice dated 5th October, 2023 till final disposal of the Appeal or in the

alternative, till such time the Appeal is heard before the Ld. DRAT ;

c. That pending the final hearing and disposal of the case, this Hon'ble Court may be pleased to issue appropriate order or direction, staying the execution of the Order dated 5th October, 2023; ”

2. We find that this Writ Petition is wholly misconceived. The DRAT is very much functioning and the Petitioner had already approached the DRAT by filing an appeal.

3. Therefore we find that this Writ Petition is wholly without merit and the same is dismissed.

4. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[M.M. SATHAYE, J.]

[B. P. COLABAWALLA, J.]