JPP

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1395 OF 2021

Hinesh Doshi and Ors. … Petitioners

V/s.

Reserve Bank of India and Ors. ... Respondents

Mr. Ahmed Padela i/b. SSB Legal & Advisory for the Petitioners
M. Ramesh Dube Patil with Mr. Advait A. Kulkarni with Ms. Priyanka Gonbra i/b. Jay & Co. for the Respondent No.2
Mr. Nishant Tripathi i/b. M/s. M. Tripathi for Respondent No.3

CORAM : NITIN JAMDAR & ABHAY AHUJA, JJ.

DATE : 07 FEBRUARY 2023

P.C. :-

On 17 January 2023, the following order was passed :-

"Having expressed that since the Petitioners are questioning the action taken by the Respondents/ Secured Creditors under theSecuritization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 and the appropriate remedy would be to approach the Debt Recovery Tribunal, the learned Counsel for the Petitioners seeks two weeks time on the ground that the settlement is

> *likely to be arrived at and if that take place, the petition would be withdrawn.*
>
> *2. Stand over to 31 January 2023. To be listed under the caption "For Directions".*
>
> *3. If the issue is not resolved, then the Petitioners are put to the notice that the petition would be disposed of keeping all contentions of the parties open to be agitated before the appropriate Court."*

2. The learned Counsel for the parties have not tendered any final consent terms and it is clear that no settlement is arrived at.

3. As already observed in the order dated 17 January 2023, we dispose of the Writ Petition keeping all the contention of the parties open to be agitated before the appropriate Court/Tribunal as may be permissible in law.

ABHAY AHUJA, J. ***NITIN JAMDAR, J.***