

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2825 OF 2023

M/s.Metform Corporation ..Petitioner

Versus

The Board of Directors of
Karnataka Bank Ltd & Ors ..Respondents

***Ms. Hemali Kurne, with Mr.B. S. Munday i/b
Nedumpara & Nedumpara, Advocates for the Petitioner***

Mr.Milind More, Addl. G. P., for the State.

***Ms. Vaishali Bhilare, Advocate for Respondent Nos.1
and 2.***

**CORAM : B. P. COLABAWALLA &
M. M. SATHAYE, JJ.**
DATE : SEPTEMBER 29, 2023

P.C.

The above Writ Petition is moved for urgent reliefs. The urgent relief sought is that possession of the secured asset would be taken without giving any notice to the Petitioner. From the record, we find that, this Writ Petition has already been disposed of by order dated 11th September, 2023. By that order, the learned counsel appearing on behalf of the Petitioner brought to our attention that the Petitioner had already filed Securitization Application No.253 of 2022 and which was pending. It was stated

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before the Court that any urgent relief that he seeks in the present Writ Petition would be pressed in that Securitization Application. He therefore sought leave to withdraw the above Writ Petition with liberty to press for urgent reliefs before the DRT. In these circumstances on 11th September, 2023, the above Writ Petition was disposed as withdrawn with liberty as prayed.

2 In these circumstances, we fail to understand how any application can be moved before this Court. If the Petitioner seeks any urgent relief, it is free to do so in Securitization Application No.253 of 2002 pending before the DRT. In these circumstances, there is no question of granting any reliefs to the Petitioner.

3 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.]