

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 697 of 2023

Central Bank of India through its Constituted Power of Attorney/Authorised Representative-
Shri Anand Kumar s/o Arvind Kumar Jaiswal

vs.

State of Maharashtra, through Ministry of Law and Judiciary, Mantralaya, Mumbai and anr.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A. T. Purohit, Advocate for petitioner.

Shri A. S. Fulzele, Additional Government Pleader for respondents.

CORAM :- A.S.CHANDURKAR AND MRS.VRUSHALI V. JOSHI, JJ.

DATE :- JANUARY 30, 2023.

Rule. Rule is made returnable forthwith.

Shri A.S.Fulzele, learned Additional Government Pleader
waives service of notice for the respondents.

The petitioner, who is a borrower, seeks issuance of directions under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short, the said Act). Request in that regard has been made to the learned Chief Judicial Magistrate, Gondia. It is urged that despite placing reliance on various judgments before the respondent no.2 indicating the scope of the proceedings, the application filed by the petitioner seeking issuance of a direction under Section 14 of the said Act is not being adjudicated. Said application is dated 15.12.2022. The learned counsel for the petitioner submits that next date of the proceedings is now 06.02.2023.

In view of aforesaid and in view of settled legal position that the learned Chief Judicial Magistrate under Section 14 of the said Act does not exercise any adjudicatory power, it is directed that final order be passed on the petitioner's application on 06.02.2023, if there is no other legal impediment.

With aforesaid directions, the writ petition stands disposed of.
Rule accordingly. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

Andurkar..