

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

WRIT PETITION NO.2555 of 2023

Chetan Shankar Dhore

vs.

The Yavatmal Urban Co-operative Bank Ltd. Yavatmal, through its Authorized Officer and
another.

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

Court's or Judge's Order

Petitioner in person.

Shri Chaitanya Kulkarni, Advocate h/f Shri Anand Deshpande, Advocate for
respondent no.1.

CORAM :- A.S.CHANDURKAR AND M. W. CHANDWANI, JJ.

DATE :- 19th APRIL, 2023

In the proceedings before the Debts Recovery Tribunal initiated by the petitioner, a statement was made by the respondent no.1 that the possession of secured assets would be taken on 20.04.2023 when the matter was moved before the Debts Recovery Tribunal on 03.04.2023. After noting the statement made on behalf of the respondent no.1-Bank that such possession would be taken on 20.04.2023, the proceedings were fixed on 19.04.2023, which is today.

2. The petitioner in person submits that the learned Presiding Officer is not available today on account of his illness and it is likely that the possession would be taken tomorrow in view of the earlier statement.

3. The learned counsel for the respondent no.1 on instructions submits that the possession of the secured assets will not be taken on 20.04.2023 and before taking possession, 48 hours notice would be given to the petitioner in person.

4. In view of aforesaid, the apprehension expressed by the petitioner in person of being dispossessed is taken care of. Since Securitization Appeal No.121 of 2023 is pending before the Debts Recovery Tribunal, the parties are free to approach the Debts Recovery Tribunal in case of any exigency.

5. With these observations, the writ petition is disposed of. No costs.

(M. W. CHANDWANI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.