

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

WRIT PETITION NO. 3010/2023

Swapnil Dinesh Jaiswal and Ors. Vs. H D F C Bank Limited

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

Court's or Judge's order

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Mr. P P Ambade, Advocate for Petitioners.

Mr. M. Y. Wadodkar, Advocate for Respondent.

CORAM : A.S.CHANDURKAR AND MRS.VRUSHALI V. JOSHI,JJ..
DATED : 09.06.2023

. The challenge raised in this writ petition is to the order dated 17.01.2023 passed by the learned Additional Chief Judicial Magistrate, Nagpur in proceedings under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. The challenge is also raised to the notice of possession dated 10.04.2023. During pendency of the proceedings, the possession of the mortgaged property has been taken over by the respondent Bank on 07.06.2023. Today, an affidavit is filed on behalf of the petitioner stating therein that the petitioner would pay an amount of Rs. 25,00,000/- within a period of 45 days for seeking possession of the property from the Bank. The learned Counsel for the Bank however submits that outstanding amount is Rs.93,00,000/- and an offer of one-time settlement to the extent of Rs.84,00,000/- was made to the petitioner. The same has not been complied with.

2. In view of the aforesaid, we are not inclined to entertain the writ petition. In case, the Bank issues the any

auction notice, it is open for the petitioner to challenge the same in accordance with law. The points raised in the writ petition are kept open. The petition is disposed of in the aforesaid terms.

(MRS.VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

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