



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

WRIT PETITION NO. 6892 OF 2023

Rajendra s/o Jugalkishore Gododia and others .. Petitioners

V/s.

The Akola Janata Commercial Co-operative
Bank Limited, Khamgaon and another .. Respondents

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Mr. S.V. Sirpurkar, Counsel for the petitioners,
Mr. R.L. Khapre, Senior Counsel assisted by Mr. R.G. Kavimandan,
Counsel for respondent Nos. 1 and 2,
Mr. N. Deshpande, D.S.G.I. for respondent No.3.

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**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ.
AND A.S. CHANDURKAR, J.**

DATE : 16th OCTOBER, 2023.

P.C.

On the oral prayer made by the learned Counsel for the petitioners, let the Debt Recovery Tribunal be impleaded as party respondent No.3 in this petition.

2. Necessary amendment shall be incorporated by the learned Counsel for the petitioners during the course of the day.

3. Mr. R.G. Kavimandan, learned Counsel has put an appearance for respondent Nos. 1 and 2 and waives service of notice whereas Mr. N. Deshpande, learned Deputy Solicitor General of India has put an appearance for respondent No.3-Debt Recovery Tribunal

and waives service of notice.

4. Mr. S.V. Sirpurkar, learned Counsel for the petitioners states that the Securitization Application No.180/2019 is pending consideration before the Debt Recovery Tribunal since the year 2019, however, despite urgency being impressed upon by the petitioners on several occasions, the said Securitization Application has yet not been finally decided. It has also been stated that considering the urgency, the Interim Application No.747/2023 may also be directed to be decided at an early date.

5. Mr. R.L. Khapre, learned Senior Counsel for respondent Nos.1 and 2 does not have any objection to the prayer made on behalf of the petitioners, however, he has submitted that the property that belonged to the petitioners has now been purchased by the Bank in auction and hence, the Bank through its Head Office ought to be impleaded in the proceedings before the Debt Recovery Tribunal.

6. Having regard to the aforesaid facts, we direct that the petitioners shall immediately implead the Bank through its Head Office as a party respondent in the proceedings pending before the Debt Recovery Tribunal. However, no notice need be issued to the newly impleaded party respondent as the learned Counsel appearing for the Bank before us in this petition submits that appearance will be put before the Debt Recovery Tribunal on behalf of the Bank if it is impleaded through its Head Office as well on the next date. We have also been informed the next date in the proceedings before the

Debt Recovery Tribunal is 20-10-2023.

7. We thus dispose of this petition with a direction that the Debt Recovery Tribunal shall expedite the Securitization Application No.180/2019 and conclude the same within a period of three months on the date certified copy of this order is produced before it. We also direct that so far as the Interim Application No.747/2023 is concerned, the proceedings thereof shall also be expedited and concluded within a period of two weeks.

8. The writ petition stands disposed of.

(A.S. CHANDURKAR, J.)

(CHIEF JUSTICE)