



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

Writ Petition No.7635 of 2023

Shailesh S/o Shalikram Rangari **Versus** Phoenix ARC Pvt. Ltd. and others

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

Court's or Judge's order

Shri S.P Bhandarkar with Shri Manish Shukla, Counsel for Petitioner.

Shri M. Anilkumar with Ms Mitisha Kotecha, Counsel for Respondent No.1.

CORAM : A. S. CHANDURKAR AND ABHAY J. MANTRI, JJ.

DATE : 9th NOVEMBER, 2023.

1. The challenge raised in the present petition is to the order dated 6-11-2023 passed by the Debts Recovery Tribunal rejecting the application preferred by the petitioner for grant of interim relief. On instructions, it is submitted by the learned counsel for the respondent No.1 that the date that was indicated in the notice dated 29-10-2023 for taking over possession of the property has now gone by and hence there is no immediate threat to the petitioner. He further submits that according to the respondent No.1, the petitioner is not in possession of the said property.
2. Since it is now informed that the petitioner has preferred an appeal before the Debts Recovery Appellate Tribunal on 8-11-2023, the writ petition is disposed of in terms of prayer clause (A) to enable the petitioner to take appropriate steps before the Debts Recovery Appellate Tribunal. All points raised in this writ petition are kept open.

(ABHAY J. MANTRI, J.)

(A. S. CHANDURKAR, J.)