



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO. 6577 OF 2024

UNION BANK OF INDIA THROUGH ITS AUTHORIZED OFFICER
ABHAYKUMAR DATTATRAY BAVISKAR

VERSUS

THE STATE OF MAHARASHTRA

...

Ms. Mishra Varsha R., Advocate for the Petitioner
Ms. Neha Kamble, AGP for Respondents-State

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 3rd July, 2024

ORDER:

1. Appeal No. 82 of 2022, preferred by the Petitioner is pending before the learned Debt Recovery Appellate Tribunal, Mumbai. Pleadings are complete. The appeal is ready for hearing since 2023. The grievance of the Petitioner-Financial Institution is that the mortgaged property is of 2012. A third party purchased the property in 2019 from the borrower. Securitisation Application under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Sarfaesi Act), preferred by such applicant, has been dismissed. By keeping the appeal pending, such purchaser is not parting with the physical possession of the property.

2. In view of the peculiar facts as above, **this Writ Petition is disposed off** with a direction to the learned DRAT, Mumbai to grant reasonable opportunity of hearing to the parties and decide the appeal, as expeditiously as possible and preferably within a period of 120 days.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan