



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

902 WRIT PETITION NO. 10156 OF 2024

**DADARAO TRIMBAK SHIRSATH AND OTHERS
VERSUS
THE UNION OF INDIA THROUGH THE SECRETARY AND
OTHERS**

...
Shri P.S. Pawar, Advocate for the Petitioners.
Shri A.N. Patale, Standing Counsel for Respondent No.1/UoI.
Ms.Neha B. Kamble, AGP for Respondent No.2/State.

...

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

DATE :- 24th September, 2024

Per Court :-

1. On 19.09.2024, none appeared for the Petitioners.

We passed the following order:-

- “1. None for the Petitioners.
2. The learned AGP places reliance upon a judgment delivered by the Hon’ble Supreme Court dated 04.11.2022, in the matter of **State Bank of India Vs. Arvindra Electronics Pvt. Ltd., 2023 (1) SCC 540**, and prays for dismissal of this Petition.
3. Since none is present for the Petitioners, list this Petition on 24.09.2024, for passing orders on disposal.”

2. Today, the learned Advocate for the Petitioners has addressed us.

3. The Petitioners have put forth prayer clauses B and C as under:-

- “B) *By appropriate writ, order or direction in the nature of writ of mandamus the responded no. 3 be directed to consider the application of the petitioners which is annexed at Exh. F to the petition under the One Time Settlement Scheme for that purpose issue necessary orders.*
- C) *Pending hearing and final disposal of this writ petition, the proceedings pending on the file of the Debt Recovery Tribunal Aurangabad in O.A. No. 1409 of 2018 be kept in abeyance or stayed in the interest of justice.”*

4. Considering the law laid down in ***Arvindra Electronics Pvt. Ltd.*** (supra), prayer clause B cannot be entertained for issuance of a Writ of Mandamus to Respondent No.3/ Syndicate Bank.

5. Insofar as prayer clause C is concerned, the proceeding of 2018, is still under adjudication before the learned Debt Recovery Tribunal. If the Petitioners have any grievance as regards the said proceeding or the orders passed therein, they have to approach the learned Debt Recovery Appellate Tribunal. In these circumstances, prayer clause C cannot be entertained.

6. In view of the above, **this Writ Petition is dismissed.**

kps (Y. G. KHOBRADE, J.) (RAVINDRA V. GHUGE, J.)