



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

**WRIT PETITION NO. 10673 OF 2024**

**SULABHA VASANTRAO KULKARNI  
VERSUS  
STATE OF MAHARASHTRA THROUGH ITS  
MINISTRY OF URBAN DEPARTMENT AND OTHERS**

.....  
Advocate for the Petitioner : Mrs. Kazi Fatema S.  
AGP for Respondents/State : Mr. S.K. Tambe  
.....

**CORAM : RAVINDRA V. GHUGE &  
Y.G. KHOBRADE, JJ.  
DATE : 27<sup>th</sup> September, 2024**

**PC. :-**

1. On request, this Petition is taken on the production board.
2. This is a classic case wherein the Petitioner approaches this Court at the eleventh hour to seek orders, when a statutory, efficacious remedy at Aurangabad is available before the Debts Recovery Tribunal.
3. The Petitioner has a host of contentious grounds to be canvassed. Apparently from the record, there are several disputed issues. The Tahsildar issued a notice on 13.08.2024, directing the Petitioner to appear before the Authority, either on 30.09.2024 or on any other next date for handing over the mortgaged property. Though, this notice was

issued on 13.08.2024, the Petitioner has approached this Court today on the pretext that the Petitioner has received this notice on 19.09.2024.

4. Considering that the Debts Recovery Tribunal is available at Aurangabad and the Petitioner can request for interim protection in view of Section 17 of the SARFAESI Act and keeping in view the law laid down by this Court in **Gaurav Ganesh Das Daga and Ors. V/s. Maharashtra Public Service Commission (MPSC) and Anr.; 2022 (3) Mh.L.J. 770**, this Writ **Petition is disposed off** with liberty to the Petitioner to approach the Tribunal.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]