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

17 WRIT PETITION NO. 1336 OF 2024

PRAMOD MANIKRAO JOSHI

VERSUS

THE DISTRICT MAGISTRATE, LATUR AND OTHERS

....

Mr A. N. Irpatgire, Advocate for Petitioner;

Mr S. K. Tambe, A.G.P. for Respondents/State

Mr G. K. Naik Thigle, Advocate for Respondent Nos.3 and 6

CORAM : RAVINDRA V. GHUGE

AND

Y. G. KHOBRAGADE, JJ.

DATE : 5th February, 2024

PER COURT:

1. We have briefly heard the learned Advocate for the Petitioner, the learned A.G.P. and the learned Advocate for the Respondent/Bank. With their assistance, we have gone through the Petition paper book.

2. Respondent No.1/ District Magistrate, Latur has passed the order, dated 30/03/2023 under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act). In the present case, the Petitioner contends that, all the dues are cleared and he relies upon a printout of the CIBIL Score and the

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report of the Reserve Bank of India, which is taken on 05/03/2023 at 4:28 p.m. According to the Petitioner, the CIBIL Score indicates that, there are no outstanding.

3. The learned Advocate for the Respondent/Bank submits on specific instructions that, the outstanding amount is of more than Rs.33,00,000/-.

4. In the above backdrop and in view of the order passed by the District Magistrate, Latur under Section 14 of the SARFAESI Act, we cannot exercise our Writ jurisdiction. A statutory efficacious remedy is available to the Petitioner. Liberty is granted to the Petitioner to approach the Competent Forum. The time spent by the Petitioner in this Court from 25/10/2023, till the passing of this order, would be a good ground for condonation of delay.

5. **This Writ Petition is disposed off.**

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk