

Gayatri

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2909 OF 2023**

Chandrabhaga Pandurang Jagtap ... Petitioner

Vs.

The State of Maharashtra Thr.

Ld. Collector and Anr. ... Respondents

Mr. Pritesh K. Bohade, Advocate for the petitioner.

Ms. Sushama Satpute, Advocate for respondents.

Ms. S. S. Bhende, AGP for the State.

CORAM : GAURI GODSE, J.

DATE : 12th FEBRUARY 2024

P.C.

1. Learned counsel appearing for respondent - bank raises a preliminary objection that the impugned order is revisable and hence this petition may not be entertained .

2. By order dated 2nd January 2024, learned counsel for the petitioner had made a statement that the petitioner will attend the

office of respondent no. 3 with a concrete proposal for one time settlement, and a statement was also made on behalf of the petitioner that since the original borrower was her husband she will also intimate the names of heirs and legal representatives whose names are entered in the property which was mortgaged.

3. On 15th January 2024 none appeared for the petitioner. Learned counsel for the respondent no. 3 - bank submitted that the statements made on behalf of the petitioner and as recorded in order dated 2nd January 2024 was not complied with, hence, by way of last the petition was directed to be listed today for dismissal.

4. Even today, no concrete proposal for one time settlement is submitted by the petitioner.

5. Learned counsel for the petitioner does not dispute that there is an alternate remedy available to the petitioner for challenging the impugned order.

6. Hence, I do not see any reason to entertain this petition as there is an alternate remedy available.

7. Writ petition is therefore dismissed. Petitioner is at liberty to adopt alternate appropriate remedy as permissible in law.

8. It is clarified that, I have not examined the merits of the petition, and hence all contentions of all parties are kept open.

[GAURI GODSE, J.]

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