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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CONTEMPT PETITION NO.131 OF 2024

SUDEEP KUMAR MOITRA

..PETITIONER

VS.

RISHABH SHAH & ORS.

..RESPONDENTS

Adv. Partho Sarkar i/b. Adv. Nicky Pokar for the petitioner.
Adv. Rohan Sawant a/w. Adv. Mayur Bhojwani i/b. MKA & Co. for
respondent no.2.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 24 JUNE 2024.

P.C. :

1. In this Contempt Petition it is prayed that the cognizance be taken of the order dated 11 May 2021 passed by the Debts Recovery Tribunal on the premise that fraudulent documents were relied upon in the said proceedings as a result of which the petitioner lost possession of the property.

2. We find from the record that the petitioner had approached the Debts Recovery Tribunal by filing Securitisation Application No.153 of 2019. In those proceedings various Interim Applications including an Interim Application seeking an initiation of action against the respondents on the same ground was also filed. However, on 2nd

August 2023, the Securitisation Application came to be dismissed for want of prosecution. As a result all pending Interim Applications were also disposed of.

3. In view of aforesaid, it is open for the petitioner to seek restoration of Securitisation Application No.153 of 2019 before the Debts Recovery Tribunal along with a prayer for restoration of the Interim Applications. If the proceedings are restored, the petitioner is free to pursue the same in accordance with law.

4. We are, therefore, not inclined to entertain the Contempt Petition. It is disposed of.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]