

RAMESHWAR
LAXMAN
DILWALE

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

WRIT PETITION NO.1751 OF 2024

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by RAMESHWAR
LAXMAN
DILWALE

Date: 2024.09.04
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Nainesh V. Sanghavi HUF .. Petitioner
Vs.
NKGSB Co-operative Bank Limited & Ors. .. Respondents

...
Mr. Ram Upadhyay (Through VC) with Mr. Anuj Pande i/by Law
Competere Consultus, Advocates for petitioner.

Mr. Ajay Panickar i/by Ajay Law Associates, Advocates for
respondent no.2.

Adv. M. S. Bhardwaj, Advocate for respondent no.10.

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

DATE : 4th SEPTEMBER, 2024.

P.C. :

1. The grievance of the petitioner as raised in the writ petition is that Transfer Securitisation Application bearing Nos.55 of 2012, 150 of 2015 and other connected matters that have been clubbed pursuant to the order passed by the Debts Recovery Tribunal on 28/07/2023 have been pending since long without being adjudicated. The petitioner seeks to rely on the order passed in the earlier writ petition preferred by the petitioner being Writ Petition No.3174 of 2018 (*Nainesh V. Sanghavi, HUF Vs. NKGSB Co-op. Bank Ltd. & Ors.*). By the said order dated 21/03/2018, the Debts Recovery Tribunal was directed to hear and dispose of the said applications expeditiously.

2. By the order dated 08/07/2024, leave was granted to implead the Debts Recovery Tribunal, Mumbai through its Registrar as respondent no.10. Today, affidavit has been filed on behalf of the Registrar indicating the reasons as to why the proceedings are still pending.

3. We find that there are about six proceedings that are required to be decided together. This is clear from the pursis filed on behalf of the HDFC Bank before the Debts Recovery Tribunal. Considering the fact that the proceedings are pending since 2011, it is directed that the Debts Recovery Tribunal shall take all necessary steps to decide the same expeditiously and preferably within a period of three months from the next date of the proceedings. This direction is subject to all parties co-operating in such disposal. The learned Presiding Officer is free to pass appropriate orders to ensure timely disposal of the said proceedings. With aforesaid directions, the Writ Petition is disposed of. However, to ensure compliance, list under the caption “for Directions” on 28/01/2025.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]