

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

WRIT PETITION NO.9023 OF 2024

Lucid Prints, Navi Mumbai	.. Petitioner
Vs.	
The District Magistrate, Thane and Ors.	.. Respondents

Dr. Abhinav Chandrachud with Mr. Niket Harit and Mr. Harshit Kumar, Advocates, i/by Manoj Harit & Co., for the Petitioner.

Mr. O.A. Das, Advocate for Respondent No.2-Canara Bank.

Ms. Tanaya D. Goswami, Assistant Government Pleader for Respondent No.4-State of Maharashtra.

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

DATE : 1ST JULY, 2024.

PC. :

1. The challenge raised in this Writ Petition is to an order passed under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. One of the contentions urged on behalf of the petitioner is that on 21st December 2023, the Additional Magistrate had called upon the Bank, which was the applicant, to submit various documents in support of its application under Section 14 of the Act of 2002. It was stated that if the objections were not removed within fifteen days, the proceedings would be filed. It is urged that though the objections were not removed within the aforesaid period but were removed much later on 19th April 2024, the said proceedings have been entertained and order dated 15th May 2024 has been passed. In this backdrop, the aforesaid order has been subjected to challenge.

2. On behalf of the respondent-Bank, it is pointed out that with regard to another mortgaged property, steps have already been taken by the petitioner for challenging the measures adopted and the petitioner-Company has approached the Debts Recovery Tribunal under Section 17 of the Act of 2002. The said proceedings are pending.

3. In the light of the fact that earlier proceedings filed by the petitioner are pending with the Tribunal, we deem it appropriate to grant leave to the petitioner to raise a challenge to the order passed under Section 14 of the Act of 2002 before the Debts Recovery Tribunal. Since the petitioner-Company has been informed that further steps would be taken on 4th July 2024, if the petitioner makes a request before the Debts Recovery Tribunal for expeditious consideration of the prayer for interim relief, that request shall be considered in accordance with law in the light of the aforesaid facts.

4. Keeping all points raised open and with the aforesaid liberty, the Writ Petition is disposed of.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]