

BDP-SPS-

BHARAT
DASHARATH
PANDIT

Digitally signed
by BHARAT
DASHARATH
PANDIT
Date: 2024.07.09
17:53:16 +0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9380 OF 2024**

Kotak Mahindra Bank Limited Petitioner.

V/s

The State of Maharashtra and Ors. Respondents.

Mr. Shanay Shah a/w Mr. Virhant Rana and Ms. Chinmayee Ghag i/b
Zaztriya, Advocates for the Petitioner.

Mr. Satchit Bhogle, 'B' Panel counsel for Respondent No.1-State.

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

DATE: 8th July, 2024.

P.C.:-

1] Leave granted to amend the cause title insofar as description of the 1st respondent is concerned. Thereafter issue notice to respondents, returnable on 29/07/2024.

2] Prayer in the writ petition is for a declaration that Insolvency Petition No.2 of 2022 pending on the record of the Debts Recovery Tribunal No-1 is not maintainable in view of the bar contained in Section 60 of Insolvency and Bankruptcy Code, 2016 and the same is liable to be dismissed.

3] It is informed that similar issue arises in Writ Petition No.1494 of

2024 (*Ambit Finvest Private Ltd vs. DEBT Recovery Tribunal-1 & Ors.*).
By the order dated 06/02/2024, interim relief in the nature of staying the proceedings before the Debts Recovery Tribunal has been granted.

4] In view of aforesaid, there shall be ad-interim relief in terms of prayer clause (c).

5] List the writ petition along with Writ Petition Nos.1494/2024, 9385/2024 and 9388/2024 on 29/07/2024.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]