

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

WRIT PETITION NO.12172 OF 2024

Smt. Tara Pandurang Kulkarni	.. Petitioner
Vs.	
DCB Bank Ltd., Pune and Ors.	.. Respondents

Mr. Nikhil Wadikar, Advocate for the Petitioner.

Mr. Aayush Kothari with Mr. Vinay Deshpande, Advocates, i/by V. Deshpande & Co., for Respondent No.1.

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

DATE : 30TH AUGUST, 2024.

PC. :

1. The petitioner is aggrieved by an order of pre-deposit dated 5th August 2024 passed by the Debts Recovery Appellate Tribunal in I.A. No.518/2024 in Appeal on Diary No.1558/2024, by which the petitioner has been directed to deposit 25% of the amount indicated in the notice issued under Section 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. Having heard the learned counsel for the petitioner who seeks to raise contentions based on merits of the petitioner's defence, we find that the Debts Recovery Appellate Tribunal has exercised discretion and directed minimum deposit of 25% for entertaining the appeal. Under the Act of 2002, the amount of 25% pre-deposit cannot be further reduced. We therefore do not find any reason to exercise discretion. Keeping all points raised in the writ petition open, it is disposed of as not entertained.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]

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