



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12307 OF 2024

THE GREATER BOMBAY CO-OPERATIVE BANK LTD...PETITIONER
VS.

M/S. R. B. WEDDING AND HOTELS
PVT. LTD. AND ORS.

..RESPONDENTS

Adv. Anshul Anjarlekar i/b. Raval Shah & Co. for petitioner.

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

DATE : 23rd September 2024.

P.C. :

1. The learned counsel for the petitioner has tendered affidavit of service which is taken on record. The same indicates that the respondents are duly served.

2. In proceedings initiated by the respondents under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002, the learned Presiding Officer on 18th July 2024 passed an interlocutory order permitting the petitioner to confirm the sale by accepting 25% of the sale consideration but restrained it from accepting 75% of the sale consideration till Interim Application No.1493 of 2024 was decided. According to the petitioner, Rule 94 of the Security Interest

(Enforcement) Rules, 2002, it is necessary for the auction purchaser to pay entire sale consideration within a period of 90 days. This period of 90 days is to expire on 18th October 2024.

3. In that view of the matter, it is directed that Interim Application No.1493 of 2024 be taken up for consideration and decided preferably prior to the said date.

4. The petitioner is at liberty to move the Debts Recovery Tribunal along with the present order to enable the learned Presiding Officer to take up Interim Application No.1493 of 2024.

5. All points raised on merits are kept open for the respondents to contest the Interim Application on all permissible terms.

6. The Writ Petition is disposed of.

7. Parties to act on an authenticated copy of this order.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]