

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

WRIT PETITION NO.15095 OF 2024

Anil V. Sawant	.. Petitioner
Vs.	
Ranchodlal M. Malli and Ors.	.. Respondents

Mr. Uday P. Warunjikar with Mr. P.D. Purway, Advocates for the Petitioner.
Mr. Nikhil Rajani with Mr. Dhruvam Gaikwad, Advocates, i/by V. Deshpande & Co., for Respondent No.2.
Mr. B.V. Samant, Additional Government Pleader with Ms. M.S. Srivastava, Assistant Government Pleader for Respondent No.4.

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

DATE : 24TH OCTOBER 2024.

PC. :

1. The challenge raised in this writ petition is to the order dated 18th March 2024 in Securitization Application No.1152/SA/2022 passed by the learned Chief Metropolitan Magistrate under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. It is not in dispute that in Writ Petition No.9792 of 2024 (*Anil V. Sawant Vs. Ranchodlal M. Malli and Ors.*), this very order was the subject matter of challenge. The writ petition was not entertained and liberty was granted to the petitioner to approach the Debts Recovery Tribunal to challenge the said order. It is informed that the petitioner has approached the Debts Recovery Tribunal by filing a

Securitization Application along with an application for condonation of delay. Notice for taking possession has been issued and steps are proposed to be taken tomorrow i.e. 25th October 2024. In this backdrop, the petitioner has filed this writ petition.

2. Since the petitioner's Securitization Application is fixed before the Debts Recovery Tribunal tomorrow i.e. 25th October 2024, liberty is granted to the petitioner to make a request to the Tribunal to urgently take up the said Securitization Application with the application for condonation of delay. If such request is made, we are sure that the Tribunal would consider the same as steps for taking possession are scheduled tomorrow.

3. Keeping all points raised on merits open, the writ petition is disposed of with aforesaid directions.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]