

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.16056 OF 2024

Manikchand K. Dewasi .. Petitioner-Org. Appellant
Vs.
The Canara Bank, Panaji, Goa & Anr. .. Respondents

Mr. Tushar V. Dahibawkar, Advocate, i/by Dahibawkar & Co., for the
Petitioner-Original Appellant.

Mr. Gajendra A. Rajput, Advocate for Respondent No.1.

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

DATE : 26TH NOVEMBER 2024.

PC. :

1. The challenge raised in this writ petition is to the order passed by the Debts Recovery Appellate Tribunal, Mumbai in Appeal No.44 of 2022 dated 28th August 2024 (*Manikchand Dewasi, Proprietor of M/s. Shree Ganesh Electrical & Plywood Vs. Canara Bank & Anr.*).

2. The learned counsel for the respondent no.1-Bank submits that since the subject property is situated in the State of Goa coupled with the fact that all the parties reside within the territorial jurisdiction of the High Court of Bombay at Goa, this writ petition is not maintainable at the Principal Seat.

3. The learned counsel for the petitioner relies upon the judgment of the Division Bench in *Kishore Rungta and Ors. Vs. Punjab National Bank and Ors., 2001(4) ALL MR 137* to contend that since the order is passed by the Debts Recovery Appellate Tribunal, Mumbai, the writ petition can be entertained at the Principal Seat.

4. Keeping aforesaid question open, issue notice to the respondents, returnable on 2nd December 2024. Mr. Gajendra Rajput, learned counsel waives notice for respondent no.1-Bank. Respondent no.2 be served through all permissible modes.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]