

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.16884 OF 2024

Mohan Harakchand Bhandari and Ors. .. Petitioners
Vs.
Bank of India, Bandra, Mumbai .. Respondent

Mr. S.R. Nargolkar with Mr. Avinash Joshi and Ms. Neeta Patil, Advocates
for the Petitioners.

Mr. C.P. Ravindranath Menon, Advocate for the Respondent.

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

DATE : 19TH NOVEMBER 2024.

PC. :

1. The challenge raised in this writ petition is to a show cause notice dated 23rd September 2024 that has been issued at the behest of the Bank of India seeking to attach the personal property of the petitioners – guarantors under the provisions of the Second Schedule to the Income Tax Act, 1961. The petitioners have replied to the show cause notice and it is stated that the same would be considered by the Recovery Officer on 25th November 2024. Since what is under challenge is merely issuance of a show cause notice, we are not inclined to entertain the writ petition.

2. At this stage, the learned counsel for the petitioners submits that the petitioners are interested in moving the respondent-Bank with a One Time

Settlement proposal / revive the earlier application. It is open for the petitioners to make such proposal. If such proposal / application is accordingly moved, the Bank is expected to consider the same in accordance with law by 25th November 2024.

3. Keeping all points on merits open, the writ petition is disposed of as not entertained.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]