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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.1185 OF 2024

Rajesh Nandkumar Pawaskar

...Petitioner

Vs.

Union of India & Ors.

...Respondents

...

Mr. Ismail Nasikwala, Advocate for Petitioner.

Mr. G.S. Bhat h/f Mr. Sarvesh Tiwari Advocates for Respondent No.4.

...

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

DATE: 23rd July, 2024

P.C.:-

1] By this writ petition the petitioner prays that during pendency of the Securitisation Application that has been preferred by the petitioner seeking restoration of possession, he be permitted to occupy the subject premises as an agent of the respondent No.2-Bank. Having heard the learned counsel for the petitioner and having perused the documents on record, we are of the view that since the petitioner has already approached the Debts Recovery Tribunal seeking restoration of the Securitisation Application that came to be dismissed in default, the present relief pending consideration of the Securitisation Application can be sought for before the Tribunal.

2] In that view of the matter, we are not inclined to entertain the writ petition. Keeping all points raised in the writ petition open, the writ petition is dismissed. It is open for the petitioner to take recourse to the provisions of Section 17(6) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, if so advised.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]