



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11275 OF 2021

HIRKANI DEVELOPERS THROUGH ITS PROPRIETOR
VERSUS
THE DISTRICT COLLECTOR / MAGISTRATE AND ANOTHER

...

Advocate for the Petitioner : Mr. Urgunde Suhas P.
AGP for Respondents: Ms. S.S. Joshi
Advocate for Respondent No.2 : Mr. A.A. Nimbalkar

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CORAM : KISHORE C. SANT AND
ABASAHEB D. SHINDE, JJ.

DATE : 08.12.2025

PER COURT:

1. Heard the learned advocates.
2. The petition is in respect of the outstanding amount and the action started by the Bank under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (**SARFAESI Act**). It is now settled that the High Court shall not interfere in the matters in respect of action taken under the SARFAESI Act. The proper forum is Debt Recovery Tribunal (DRT).
3. We find it appropriate to dispose of the petition keeping

it open to the petitioner to approach the DRT. However, since there is already interim relief in operation since 2021 granted by this Court order dated 11.10.2021, the same shall stand continue for two weeks.

4. Needless to say that the time consumed in prosecuting this writ petition shall not be counted for the purpose of limitation. It is further made clear that the interim relief is strictly for two weeks from today.

(ABASAHEB D. SHINDE, J.)

(KISHORE C. SANT, J.)