

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

WRIT PETITION NO.10073 OF 2025

Dhananjay Shirish Kulkarni	... Petitioner
Vs.	
The Kolhapur Urban Co-Op Bank Ltd.	... Respondent

Ms. Ayodhya Patki for the Petitioner.
Mr. Ronak Shah (through VC) a/w Viraj Shelatkar for the Respondent.

**CORAM : M.S. KARNIK &
N.R. BORKAR, JJ.**

DATE : 21ST JULY 2025

PC. :

1. Heard Learned Counsel for the parties.

2. It is the submission of Learned Counsel for the Petitioner that there is fundamental error in issuing Section 13(2) Notice, which according to the Petitioner, was never served upon the Petitioner. According to Learned Counsel for the Petitioner, this is a sufficient cause for the Petitioner to maintain the Petition in this Court.

3. Learned Counsel for the Respondent-Bank submits that the Petitioner has efficacious remedy to approach the DRAT or the appropriate forum under the SARFAESI Act against the action, which is impugned in this Petition.

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4. We are in agreement with the submissions made on behalf of the Respondent-Bank.
5. Liberty is granted to the Petitioner to approach the DRAT.
6. Keeping all contentions open, the Petition is disposed of.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)