

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

WRIT PETITION NO.16197 OF 2024

Harishchandra Bapu Patil

.. Petitioner

Vs.

Bank of Maharashtra

.. Respondent

Ms. Shamahmah Kazi with Mr. Sagar A. Pujari, Advocates for the
Petitioner.

None for the Respondent.

**CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ**

DATE : 25TH FEBRUARY 2025.

PC. :

1. The challenge raised in this writ petition is to the order dated 19th December 2018 passed by the learned Presiding Officer, Debts Recovery Tribunal-III, Mumbai allowing the Original Application preferred by the respondent-Bank of Maharashtra. Against the aforesaid ex-parte order, the petitioner had filed Miscellaneous Application No.25 of 2022 praying that the ex-parte order be set aside after condoning the delay in moving that application. The learned Presiding Officer however on 30th June 2023 refused to condone the delay as prayed.

2. We find that the remedy of approaching the Debts Recovery Appellate Tribunal is available to the petitioner. We are therefore not inclined to entertain the writ petition. It is disposed of as not entertained. All points on merits are kept open and liberty is granted to approach the Debts Recovery Appellate Tribunal.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]