

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

WRIT PETITION NO.265 OF 2025

Shivtara Properties Pvt. Ltd., Pune and Anr. .. Petitioners

Vs.

Union of India,
Through the Ministry of Finance and Ors. .. Respondents

Mr. Manoj Harit with Mr. Niket Harit and Ms. Anjali Bhutia, Advocates,
i/by Manoj Harit & Co., for the Petitioner.

None for the Respondents.

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

DATE : 15TH JANUARY 2025.

PC. :

1. The petitioners have approached this Court with a prayer to issue a direction to the Debts Recovery Tribunal, Pune to consider and decide petitioners' Securitization Application No.365 of 2023. A further prayer made by the petitioners is to restrain the respondent no.4 from changing the character of the subject property till the Securitization Application is heard and decided.

2. We find from the record that the petitioners have approached the Debts Recovery Tribunal raising a challenge to the steps taken by the Creditor for enforcing its security interest. In the said proceedings, an interim application seeking interim relief is pending. In our view, it would be necessary for the petitioners to first pursue the pending proceedings by pressing the prayers for interim relief therein.

3. In view of the fact that the petitioners have already approached the Debts Recovery Tribunal, we are not inclined to entertain the writ petition. With liberty to the petitioners to make a request to the Debts Recovery Tribunal to consider the interim application expeditiously and on its own merits, the writ petition is disposed of as not entertained. All points on merits are kept open.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]