

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 657 OF 2025
ALONGWITH

INTERIM APPLICATION NO.596 OF 2025
IN
WRIT PETITION NO. 657 OF 2025

M/s. Star Hotels & Tours
Pvt. Ltd.

..... Petitioner.

V/s.

Mr. Madhusudan Dhirajlal
Mehta and Others

..... Respondents.

Mr. A.S. Pande, Advocate for the petitioner.

Mr. Charles D'Souza a/w Mr. Manswi Agrawal Ms. Balomi Kalwade & Mr.
Rupak Sawangikar, Advocates for respondent no.3.

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

DATE : 20TH JANUARY, 2025

PC. :

1] On hearing the learned counsel for the petitioner, we find that against the order dated 11/12/2024 passed by the learned Presiding Officer, Debts Recovery Tribunal, the remedy of filing an appeal before the Debts Recovery Appellate Tribunal is available. For this reason, we are not inclined to entertain the writ petition.

2] The learned counsel for the petitioner submits that the petitioner's goods are lying with the bank. It is open for the petitioner to move the Debts Recovery Tribunal/Debts Recovery Appellate Tribunal to seek return

of goods that are not hypothecated. Keeping all points on merits open, the writ petition is disposed of as not entertained. The Interim Application is also disposed of.

[M. M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]