

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

WRIT PETITION NO.2028 OF 2025

Sagar Narendra Kunte	.. Petitioner
Vs.	
District Magistrate and Collector, Pune Housing Branch, Pune and Ors.	.. Respondents

Mr. Mohd. Farhan Khan (through V.C.), i/by Ms. Meghna Gavhane,
Advocates for the Petitioner.

Mr. S.B. Kalel, Assistant Government Pleader for Respondent No.1.

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

DATE : 11TH FEBRUARY 2025.

[THROUGH HYBRID HEARING]

PC. :

1. The challenge raised in this writ petition is to the auction that is being taken pursuant to an order dated 7th February 2019 passed by the Additional District Magistrate under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. According to the petitioner, he has approached the Debts Recovery Tribunal under Section 17 of the Act of 2002. Interim Application No.6 of 2020 (*Sagar Narendra Kunte Vs. ICICI Bank, Pune and Anr.*) has also been filed. However, thereafter it is seen that the petitioner has not pursued the aforesaid proceedings. In the meanwhile, numerous notices seeking to takeover possession of the secured asset have been issued.

2. In the light of the fact that the petitioner has already approached the Debts Recovery Tribunal, it would be necessary for him to pursue the said proceedings and seek appropriate relief. In that view of the matter, we are not inclined to entertain the writ petition. Keeping all points on merits open, the writ petition is disposed of as not entertained. The petitioner is at liberty to pursue the proceedings pending before the Debts Recovery Tribunal.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]