

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4987 OF 2025

Krunal Janardan Vanmali and Ors. .. Petitioners

Vs.

Bank of Baroda,
(Formerly Vijaya Bank) and Anr. .. Respondents

Mr. Sanjiv Sawant with Mr. Abhishek Deshmukh and Ms. Bhakti Wast,
Advocates for the Petitioners.

Mr. Raghava M., Advocate for Respondent No.1.

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

DATE : 16TH APRIL 2025.

PC. :

1. The petitioners seek restoration of possession of the secured asset which they have lost pursuant to the order dated 2nd April 2025 passed by the Debts Recovery Tribunal. By the said order, the petitioners were directed to deposit a sum of Rs.50,00,000/- with the respondent no.1-Bank by 4:00 p.m. on the same day. Since this amount was not deposited, the possession of the secured asset was taken on the same day at 5:00 p.m.

2. Considering the fact that the remedy of approaching the Debts Recovery Tribunal/Debts Recovery Appellate Tribunal is available to the Petitioners, we are not inclined to entertain the writ petition. Keeping all points on merits open, the writ petition is disposed of as not entertained.

3. At this stage, the learned counsel for the Petitioners submits that the Petitioners desire to approach the Respondent no.1-Bank for making an offer under the One Time Settlement (OTS) scheme. It is open for the

Petitioners to do so. It is also open for the Petitioners to remove their belongings from the subject property, without prejudice to their rights and contentions.

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]