

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7704 OF 2025**

Dr. Siddharth B. Sawant and Anr. ... Petitioners
V/s.
The State of Maharashtra & Ors. ... Respondents

Ms Preeti Walimbe a/w. Ms Vaishnavi Nagargoje for the
Petitioner.
Ms A.A. Purav, AGP for the Respondent/State.
Mr. Sachin Kanse for Respondent No.6.

**CORAM : M.S. KARNIK &
N.R. BORKAR, J.J.
DATE : 16th JUNE, 2025.**

P.C.

1. Not on board. Upon mentioning, taken on production board.
2. Heard learned counsel for the petitioners.
3. The petitioners seek reliefs for restraining respondent No.4 from taking coercive steps of attachment of the property bearing Flat No. A/702, Pruthvi Enclave Cooperative Housing Society Limited Off Western Express Highway, Borivali (E), Mumbai-400 066 pursuant to the notice dated 28th May 2025 issued by Court Commissioner as per order dated 4th September 2024 passed by the Additional Chief Judicial Magistrate, 37th Court, Esplanade, Mumbai in 262/SA/2023, which is subject matter of the petition.

4. The petitioners have an alternate remedy under the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ("SARFAESI Act" for short) to redress the grievances raised in this petition. In any case, it is not possible for us to examine the factual aspects which has been raised in this petition. The attachment is in respect of residential flat.

5. In the interest of justice and as the learned counsel for the petitioners submits that the Flat is likely to be attached during the course of day, we direct the respondent No.4 not to take any coercive steps including attachment of the Flat No.A/702, Pruthvi Enclave Cooperative Housing Society Limited Off Western Express Highway, Borivali (E), Mumbai-400 066 for a period of four weeks from today.

6. Keeping all contentions open and in order to enable the petitioners to adopt any other appropriate remedies, i.e., including filing of civil suit etc., we dispose of this petition.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)