



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.1808/2025

Tikamdas Notandas Wanwani Vs. State of Maharashtra and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr.N.S.Warulkar, Advocate for petitioner
Mr. I.J. Damle, AGP for respondent nos.1 and 2.

CORAM : NITIN W. SAMBRE & MRS. VRUSHALI V. JOSHI, JJ.
DATE : APRIL 3, 2025.

1. Heard.
2. The petitioner entered into One Time Settlement (O.T.S.) with the respondents which he has failed to honour and as such the respondents have taken recourse under the provisions of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and issued a notice.
3. The notice to that effect is questioned on the ground that onerous liability is saddled on the petitioner by calculating the interest at a much higher rate and as such prays for directions to the respondents not only to re-calculate the amount but also to direct the Competent Authority to conduct an enquiry in the matter of liability imposed on the petitioner.
4. We see no reason to cause interference in the petition particularly when the alternate remedy is available to the petitioner under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 thereby approaching before the Debts Recovery Tribunal at an appropriate stage. Once the petitioner has accepted O.T.S., in our

opinion, it is not open for him to dispute the same, once it has been partly acted upon.

5. Writ Petition stands dismissed. No costs.

(MRS.VRUSHALI V. JOSHI, J.) (NITIN W.SAMBRE, J.)

Mukund Ambulkar