



Suzana

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.30 OF 2026

M/S PRAKASH CORRUGATED PRODUCTS
THR ITS PROPRIETOR MR RAKESH
AGARWAL AND ANR

... PETITIONERS

Versus

UNION BANK OF INDIA THR ITS CHIEF
MANAGER AND 4 ORS

... RESPONDENTS

Mr. Rohit Bras De Sa, Advocate for the Petitioners.

Ms. Priyanka Kamat, Advocate for Respondents No.1, 2 and 3.

**CORAM:- VALMIKI MENEZES &
AMIT S. JAMSANDEKAR, JJ.**

DATED :- 21st January, 2026

P.C.

Registry to waive objections and register the matter.

1. On going through the relief sought in this Petition, which is for a direction to the Respondent Bank to adjust certain amounts paid by the Petitioner to the Bank, we are of the view that there is a clear alternate remedy provided by the "SARFAESI Act" under sub-Section (1) of Section 17 thereof before the Debts Recovery Tribunal. The Petition is, therefore, not maintainable and is rejected on this sole ground. We make it clear that the merits of the Petition have not been addressed by us and may be agitated by the Petitioner before the forum provided under the Act.

2. The rejection of this Petition on the ground of maintainability will also not come in the way of the Petitioner from approaching the Respondent Bank to request adjustment of the amounts which are referred to in the Petition and the Bank is at liberty to consider such a request without being influenced by the fact that the Petition has been rejected on the ground of maintainability.

AMIT S. JAMSANDEKAR, J. VALMIKI MENEZES, J.