

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

WRIT PETITION NO. 6689 OF 2026

Ashok Shripat Bharati ... Petitioner
Versus
The State of Maharashtra & Ors. ... Respondents

Ms. Poonam Pal i/by Mr. Sachin Hande for the Petitioner.
Mrs. Tanu N. Bhatia, AGP for Respondent-State.

**CORAM : MANISH PITALE AND
SHREERAM V. SHIRSAT, JJ.**

DATE : 12th JUNE 2026

P.C. :

. By this petition, the petitioner has challenged an order passed by the Competent Magistrate under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Securitisation Act).

2. A statutory remedy is available to the petitioner for approaching the Debts Recovery Tribunal (DRT) under Section 17 of the Securitisation Act. The Supreme Court in the case of *Union Bank of India vs. Satyawati Tandon & Ors.*, (2010) 8 SCC 110, has categorically laid down that the writ Court ought not to entertain petitions where such statutory, alternative, efficacious remedy is available to the aggrieved persons.

3. The said position of law has been reiterated in a number of

judgments, including the judgment of the Supreme Court in the *Celir LLP vs. Bafna Motors (Mumbai) Private Limited & Ors.*, (2024) 2 SCC 1. As a matter of fact, in the said judgment, the Supreme Court observed that despite the position of law being reiterated, High Courts have continued to exercise writ jurisdiction under Article 226 of the Constitution of India, ignoring statutory remedies under the Securitisation Act, which cannot be countenanced.

4. In view of the aforesaid settled position of law, the writ petition is dismissed.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)