

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

**WRIT PETITION (ST.)NO.15103 OF 2018**

Shyamlal Sampatraj Soni & Anr.

.. Petitioners

**Vs.**

HDFC Bank Ltd.

.. Respondent

.....

Mr.Vijay V. Sonawane, Advocate for the Petitioners.

Mr.Shashank N. Fadia, Advocate for Respondent.

.....

**CORAM : NITIN W. SAMBRE AND  
PRAKASH D. NAIK, JJ.**

**(VACATION COURT)**

**DATED : MAY 30, 2018.**

**P.C. :**

After having heard Mr.Sonawane, learned counsel for the petitioner, this Court was inclined to show indulgence subject to condition that applicant depositing an amount of Rs.50,00,000/- through a Demand Draft in this Court by 1<sup>st</sup> June, 2018. The petitioner is not agreeable to the said condition. Mr.Fadia, learned counsel for the respondent has informed that the outstanding against the petitioners are to the tune of Rs.57,00,000/-. According to him, the petitioners have already

approached DRT Mumbai vide Securitisation Application No.85 of 2018, wherein similar prayer was already rejected on 7<sup>th</sup> March, 2018. He has tendered copy of the order passed by the DRT Mumbai to that effect.

2           When confronted, the learned counsel for the petitioners submits that he has no instructions on the said issue as to whether the petitioners have approached DRT Mumbai in the matter or not. Be that as it may, having regard to the fact that the petitioners have already approached the DRT Mumbai and appropriate remedy is available to the petitioners against the order of DRT Mumbai passed on 7<sup>th</sup> May, 2018, we are not inclined to cause any interference. Writ Petition is dismissed.

**(PRAKASH D. NAIK, J.)**

**( NITIN W. SAMBRE, J.)**