

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 14410 OF 2025**

Celina Prasad	...	Petitioner
vs.		
Indian Overseas Bank	...	Respondents

Mr. Neeraj Pandey (through V.C.) a/w. Ms. Heena Maniyar for petitioner.

Mr. Rajesh Dubey a/w. Mr. Sumit Chauhan for respondent – bank.

Ms. Celina Prasad, petitioner present.

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

DATE : 15th OCTOBER, 2026

P.C. :

. Heard learned counsel for the parties.

2. By this petition, the petitioner has challenged an auction notice dated 10.06.2025 issued by respondent – bank (secured creditor) for sale of secured asset, under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Securitisation Act). The petitioner claims that the original borrower has fraudulently shown the petitioner as the guarantor.

3. We are of the opinion that since the petitioner is essentially seeking to challenge the measures taken by respondent – bank under the provisions of the Securitisation Act, the alternative, efficacious statutory remedy under Section 17 thereof is available to the petitioner and this writ petition cannot be entertained.

4. The Supreme Court, in numerous judgements, including in the cases of *United Bank of India vs. Satyawati Tondon and others*, (2010) 8 SCC 110 and *Celir LLP vs. Bafna Motors (Mumbai) Private Limited and others*, (2024) 2 SCC 1, has specifically laid down the said position of law.

5. Apart from this, the learned counsel appearing for respondent – bank has brought subsequent events to our notice, which show that the writ petition itself has been rendered infructuous. We are informed that the auction sought to be conducted in pursuance of the impugned auction notice dated 10.06.2025, failed as no bidders turned up. It is further brought to our notice that by a subsequent auction notice, an auction was conducted and the subject property is already sold on 29.06.2026.

6. It is evident that in the light of the aforesaid subsequent events, nothing survives in this writ petition.

7. Accordingly, the writ petition is dismissed as infructuous. Pending applications, if any, also stand disposed of.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)