

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 719 OF 2020**

Viraj Chetan Shah

...Petitioner

Versus

Union of India & Anr

...Respondents

WITH

INTERIM APPLICATION (L) NO. 9810 OF 2020

WITH

INTERIM APPLICATION (L) NO. 4250 OF 2022

WITH

INTERIM APPLICATION (L) NO. 10483 OF 2023

IN

WRIT PETITION NO. 719 OF 2020

WITH

WRIT PETITION NO. 51 OF 2020

WITH

WRIT PETITION NO. 162 OF 2020

WITH

INTERIM APPLICATION (L) NO. 13242 OF 2022

IN

WRIT PETITION NO. 162 OF 2020

WITH

SHEPHALI
SANJAY
MORMARE

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SHEPHALI SANJAY
MORMARE
Date: 2024.04.25
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WRIT PETITION NO. 837 OF 2020
WITH
WRIT PETITION NO. 140 OF 2021
WITH
INTERIM APPLICATION (L) NO. 29664 OF 2022
WITH
WRIT PETITION NO. 195 OF 2021
WITH
WRIT PETITION NO. 1762 OF 2021
WITH
INTERIM APPLICATION NO. 532 OF 2021
IN
WRIT PETITION NO. 1762 OF 2021
WITH
WRIT PETITION NO. 2681 OF 2021
WITH
INTERIM APPLICATION (L) NO. 19372 OF 2022
AND
INTERIM APPLICATION NO. 1978 OF 2022
WITH
INTERIM APPLICATION (L) NO. 34756 OF 2022
WITH
INTERIM APPLICATION (L) NO. 21646 OF 2023
IN
WRIT PETITION NO. 2681 OF 2021

WITH
WRIT PETITION NO. 2843 OF 2021
WITH
INTERIM APPLICATION NO. 1029 OF 2020
WITH
INTERIM APPLICATION (L) NO. 6665 OF 2020
IN
WRIT PETITION NO. 2843 OF 2021
WITH
WRIT PETITION NO. 2624 OF 2021
WITH
INTERIM APPLICATION (L) NO. 24248 OF 2022
IN
WRIT PETITION NO. 2624 OF 2021
WITH
WRIT PETITION NO. 3338 OF 2021
WITH
INTERIM APPLICATION NO. 1871 OF 2023
WITH
INTERIM APPLICATION (L) NO. 10422 OF 2024
IN
WRIT PETITION NO. 3338 OF 2021
WITH
WRIT PETITION NO. 3775 OF 2021
WITH

INTERIM APPLICATION (L) NO. 23397 OF 2022
WITH
INTERIM APPLICATION NO. 1017 OF 2023
WITH
INTERIM APPLICATION NO. 3904 OF 2023
IN
WRIT PETITION NO. 3775 OF 2021
WITH
WRIT PETITION NO. 3952 OF 2021
WITH
INTERIM APPLICATION (L) NO. 1893 OF 2022
WITH
INTERIM APPLICATION (L) NO. 14840 OF 2023
WITH
INTERIM APPLICATION (L) NO. 3750 OF 2024
IN
WRIT PETITION NO. 3952 OF 2021
WITH
WRIT PETITION (L) NO. 18651 OF 2021
WITH
INTERIM APPLICATION NO. 1654 OF 2023
IN
WRIT PETITION (L) NO. 18651 OF 2021
WITH
WRIT PETITION NO. 46 OF 2022

WITH
INTERIM APPLICATION (L) NO. 17419 OF 2022
WITH
INTERIM APPLICATION (L) NO. 1468 OF 2022
WITH
INTERIM APPLICATION (L) NO. 25254 OF 2022
IN
WRIT PETITION NO. 46 OF 2022
WITH
WRIT PETITION NO. 63 OF 2022
WITH
INTERIM APPLICATION (L) NO. 17429 OF 2022
WITH
INTERIM APPLICATION (L) NO. 1471 OF 2022
WITH
INTERIM APPLICATION (L) NO. 25253 OF 2022
WITH
INTERIM APPLICATION (L) NO. 27444 OF 2023
WITH
INTERIM APPLICATION (L) NO. 11313 OF 2023
IN
WRIT PETITION NO. 63 OF 2022
WITH
WRIT PETITION NO. 621 OF 2022
WITH

INTERIM APPLICATION (L) NO. 11727 OF 2023
WITH
INTERIM APPLICATION (L) NO. 13609 OF 2023
IN
WRIT PETITION NO. 621 OF 2022
WITH
WRIT PETITION NO. 937 OF 2022
WITH
INTERIM APPLICATION (L) NO. 17564 OF 2022
IN
WRIT PETITION NO. 937 OF 2022
WITH
WRIT PETITION (L) NO. 17482 OF 2022
WITH
INTERIM APPLICATION NO. 2581 OF 2022
IN
WRIT PETITION (L) NO. 17482 OF 2022
WITH
WRIT PETITION (L) NO. 17515 OF 2022
WITH
INTERIM APPLICATION NO. 2580 OF 2022
IN
WRIT PETITION (L) NO. 17515 OF 2022
WITH
WRIT PETITION NO. 1998 OF 2022

WRIT PETITION NO. 2053 OF 2022
WITH
INTERIM APPLICATION (L) NO. 27017 OF 2022
WITH
INTERIM APPLICATION (L) NO. 33306 OF 2022
IN
WRIT PETITION NO. 2053 OF 2022
WITH
WRIT PETITION NO. 2866 OF 2022
WITH
INTERIM APPLICATION NO. 1990 OF 2023
WITH
INTERIM APPLICATION (L) NO. 8720 OF 2024
IN
WRIT PETITION NO. 2866 OF 2022
WITH
WRIT PETITION NO. 3056 OF 2022
WITH
INTERIM APPLICATION NO. 3404 OF 2022
WITH
INTERIM APPLICATION (L) NO. 24368 OF 2022
WITH
INTERIM APPLICATION (L) NO. 28767 OF 2022
WITH

INTERIM APPLICATION (L) NO. 31019 OF 2022

WITH

INTERIM APPLICATION NO. 2293 OF 2023

WITH

INTERIM APPLICATION (L) NO. 21655 OF 2023

WITH

INTERIM APPLICATION (L) NO. 10068 OF 2024

IN

WRIT PETITION NO. 3056 OF 2022

WITH

WRIT PETITION (L) NO. 5608 OF 2022

WITH

WRIT PETITION (L) NO. 5610 OF 2022

WITH

INTERIM APPLICATION (L) NO. 17801 OF 2023

WITH

INTERIM APPLICATION NO. 4672 OF 2022

WITH

INTERIM APPLICATION NO. 1801 OF 2023

WITH

INTERIM APPLICATION (L) NO. 10066 OF 2024

IN

WRIT PETITION (L) NO. 5610 OF 2022

WITH

WRIT PETITION (L) NO. 8821 OF 2022
WITH
INTERIM APPLICATION NO. 3831 OF 2022
WITH
INTERIM APPLICATION NO. 2625 OF 2023
IN
WRIT PETITION NO. 8821 OF 2022
WITH
WRIT PETITION (L) NO. 11128 OF 2022
WITH
WRIT PETITION (L) NO. 11141 OF 2022
WITH
WRIT PETITION (L) NO. 12086 OF 2022
WITH
WRIT PETITION (L) NO. 12614 OF 2022
WITH
INTERIM APPLICATION NO. 3567 OF 2023
IN
WRIT PETITION (L) NO. 12614 OF 2022
WITH
WRIT PETITION (L) NO. 7310 OF 2022
WITH
INTERIM APPLICATION (L) NO. 18195 OF 2022
WITH
INTERIM APPLICATION NO. 1600 OF 2022

WITH
INTERIM APPLICATION (L) NO. 36519 OF 2022
WITH
INTERIM APPLICATION NO. 107 OF 2024
WITH
INTERIM APPLICATION NO. 964 OF 2024
IN
WRIT PETITION (L) NO. 7310 OF 2022
WITH
WRIT PETITION NO. 2357 OF 2023
WITH
INTERIM APPLICATION NO. 2348 OF 2023
IN
WRIT PETITION NO. 2357 OF 2023
WITH
WRIT PETITION NO. 2789 OF 2023
WITH
INTERIM APPLICATION (L) NO. 19182 OF 2022
WITH
INTERIM APPLICATION (L) NO. 17823 OF 2022
WITH
INTERIM APPLICATION (L) NO. 12161 OF 2023
IN
WRIT PETITION NO. 2789 OF 2023
WITH

CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2200 OF 2021
WITH
INTERIM APPLICATION NO. 342 OF 2022
IN
WRIT PETITION NO. 2200 OF 2021
WITH
WRIT PETITION NO. 4356 OF 2021
WITH
WRIT PETITION NO. 5450 OF 2021
WITH
WRIT PETITION (ST) NO. 6654 OF 2022
WITH
INTERIM APPLICATION NO. 3220 OF 2022
WITH
INTERIM APPLICATION NO. 13457 OF 2023
WITH
INTERIM APPLICATION NO. 13458 OF 2023
WITH
INTERIM APPLICATION NO. 17522 OF 2023
WITH
INTERIM APPLICATION (ST) NO. 17368 OF 2023
IN
WRIT PETITION (ST) NO. 6654 OF 2022

- Dr Birendra Saraf, Senior Advocate**, with *Satchit Bhogle, Krushi Barfiwala & Shlok Bodas, i/b Parinam, Law Associates*, for the Petitioner in WP/719/2020.
- Ms Neeta Solanki**, for the Petitioner in WP/3952/2022.
- Mr Preetchheda**, for the Petitioner in WP(L)/18651/2021.
- Mr Aamir Ali Sheikh**, i/b *Dhruve Liladhar & Co*, for the Petitioners in WP/2053/2022.
- Mr Arun Panickar**, with *Vinay Nair*, for the Petitioners in WP/2886/2022.
- Ms Neeta Solanki**, for the Petitioner in WP/3952/2022.
- Mr Parag Joshi**, with *Dharmesh Joshi & Supriya Harugade*, for the Petitioners in WPL/5608/2022, WPL/5610/2022, IA/1123/2024, IA/1801/2023, IAL/17801/2023 & IA/4672/2022.
- Mr Amir Arsiwala**, with *Omprakash Jha, Shivani Kumbhojkar & Radha Naik, i/b The Law Point*, for the Petitioner in WP/1762/2021 and in IA/532/2021.
- Mr Akash Warang**, for the Petitioner in WP/2624/2021 with IAL/24248/2022.
- Mr Chirag Sarawagi**, with *Yash Dhakad, i/b Tushar Goradia*, for the Petitioner in WP/3056/2022.
- Dr Birendra Saraf, Advocate General**, with *AI Patel, Addl. GP, MP Thakur, AGP, VM Mali, AGP, AA Purav, AGP & PJ Gavhane, AGP*, for the Respondent-State.
- Mr Amit Shastri, AGP**, for the Respondent – State.
- Ms Priyanka Chippa**, i/b *N Shah Legal*, for Respondents Nos. 6 to 15 in WP/3056/2022.
- Mr Amit Shastri, AGP**, for the Respondent No.4 - State in WP/2866/2022.
- Mr Karan Adik**, with *Satyaprakash Sharma & Neha Pandey*, for Respondent No. 7 in WP/2584/2023.
- Mr SU Bharucha**, with *Satyaprakash Sharma & Neha Pandey*, for Respondent No. 4 in WP/11352/2022.
- Ms Uma Palsuledesai, AGP**, for the Respondent - State in WP/3056/2022 and WP(L)/7310/2022.
- Mr LT Satelkar, AGP**, for the Respondent – State in WP(L)/12086/2022.
- Mr YR Mishra**, with *Ajiakya Jaibhave*, for Respondent – UOI in

WP(L)/17810/2022.

Mr YS Bhate, with *Ajiakya Jaibhave*, for the Respondent – UOI in *WP(L)/18651/2021, WP/2843/2021, WP(L)/17810/2022, WP(l)/12086/2022 & WP/2866/2022.*

Mr Madhur Rai, with *Sachin Kanse*, i/b *PRS Legal*, for the Respondent No.1 in *WP/46/2022 & WP/63/2022.*

Ms Sumedha Sawant, i/b *Nainesh Amin*, h/f *NN Amin & Co*, for the Respondent No.2 in *WP/621/2022.*

Mrs Rathina Maravarman, for Respondent No.1 in *WP/2681/2021.*

Mrs Rathina Maravarman, for Respondents Nos. 2 to 7 in *WP(L)/12614/2022.*

Mrs Rathina Maravarman, for Respondent No.3 in *WP/937/2022.*

Mrs Rathina Maravarman, for Respondent No.3 in *WP/2053/2022.*

Mrs Rathina Maravarman, for Respondent No.3 in *WP/11141/2022.*

Mrs Rathina Maravarman, for Respondent No.3 in *WP(L)/11128/2022.*

Mrs Rathina Maravarman, for Respondent No.2 in *WP/1762/2021.*

Mrs Rathina Maravarman, for Respondent No.3 in *WP(L)/8821/2022.*

Mrs Rathina Maravarman, for Respondent No.1 in *IA(L)/18587/2022 in WP/3952/2021.*

Mr Girish Utangale, with *Saurabh Utangale*, i/b *Utangale & Co*, for Respondent No.2 in *WP/2843/2021.*

Mr Dharam Jumani, with *Chandika Prajapati*, for the Petitioners in *WP(L)/12086/2022.*

Mr Dharam Jumani, with *Suraj Iyer, Gauri Joshi & Mihir Nerurkar*, i/b *Ganesh & Co*, for the Petitioner in *WP(L)/11128/2022, WP(L)/11141/2022, WP(L)/7310/2022 & WP(L)/12873/2022.*

Mr Dharam Jumani, with *Aarti Jumani & Vinay Gajjar*, i/b *Chandrika Prajapati*, for the Petitioner in *WP/2210/2023.*

Mr Dharam Jumani, with *Munaf Virjee & Akash Agarwal*, i/b *AMR Law*, for the Petitioner in *WP/2053/2022.*

Ms Manasi Pawar, i/b *Shivaji Masal*, for the Petitioners in *WP/2200/2021.*

Mr Mihir Mody, with *Dhaval Patil & Arnav Misra*, i/b *K Ashar & Co*, for the Respondent No. 3 in *WP/621/2022.*

Mr Rashmin Jain, i/b *Kanga & Co*, for the Petitioner in *WP/937/2022 with IA(L)17564/2022.*

- Mr Rashmin Jain**, with Prathamesh Jadhav, i/b Kanga & Co, for the Petitioner in WP/937/2022 & WP/3374/2022.
- Mr Sharan Jagtiani**, Senior Advocate, with Dikshat Mehta & Honey Chandnani, i/b Rajani Associates, for the Petitioners in WP/621/2022.
- Ms Gulnar Mistry**, with Subit Chakrabarti, Shantam Mandhyan, Apurva Pawar, Abhay Jariwala & Khushnumah Banerjee, i/b Vidhii Partners, for the Petitioner in WP/3338/2021.
- Mr Bhalchandra Palav**, with Aniket Dighe, i/b Neeta Solanki, for the Petitioners in WP/3952/2021.
- Mr Pratyush Ranjan**, i/b Halai & Co, for the Petitioner in WPL/12614/2022, WP/2789/2023 & WP/837/2020.
- Ms Nidhi Singh**, with Hubab Sayyed, Nishin Shrikhande, Nidhi F, i/b Vidhii Partners, for the Petitioner in WP/51/2020.
- Mr Sujit Lahoti**, with Tejasvi Kudtarkar & Aditya Sheth, i/b Sujit Lahoti & Associates, for the Petitioners in WP/46/2022 & WP/63/2022.
- Mr Talib Hasan Darvesh**, with Hassanmly Darvesh, M Darvesh, Chaitanya Malgaonkar, Sagar Ambedkar, Chirag Shah & Melwyn Pereira, for the Petitioners in WPL/12790/2023, WPL/12791/2023 & WPL/12813/2023.
- Mr Bhalchandra Palav**, with Aniket Dighe, i/b Bhat & Co, for the Petitioner in WP/46/2022 & WP/63/2022
- Mr Jamshed Ansari**, for Respondent No. 3 in WPL/7310/2022 & WP/3374/2022 and for Respondent No. 5 in WP(L)/12614/2022.
- Mr Yahya Batatawala**, with Uma Chatterjee, i/b Meghna Rao, for the Respondent No. 4 in WP/3056/2022.
- Mr Mohamedali M Chunawala**, with DP Singh, i/b AA Ansari, for the Respondent No. 1 in WP(ST)/6654/2022.
- Mr Dharmesh Joshi**, with Supriya Harugade, i/b TD Joshi & Associates, for the Petitioner in WP(L)/5608/2022 & WP(L)/5610/2022.
- Mr Bimal Rajasekhar**, for the Petitioner in WP/140/2021 & WP/195/2021.
- Mr G Aniruth Purusothaman**, with Joshua Borges, i/b Parth Shah & Keerti K, for the Petitioner in WP/2681/2021, IAL/21646/2023, IAL/34756/2022 & IA/1978/2022.

Mr Deepak Saxena, *i/b Legal Prism, for Respondent No. 10 in WP/3056/2022.*

Mr Devanshu P Desai, *for the Petitioner in WP/162/2020.*

Mr Nishit Dhruva, *with Niyati Merchant & Harsh Sheth, i/b MDP & Partners, for Respondent No. 1 in WP/2624/2021*

Mr Nishit Dhruva, *with Niyati Merchant & Harsh Sheth, i/b MDP & Partners, for Respondent No. 2 in WP/95/2021, WP/719/2020, WP/162/2020, WPL/5608/2022, WP/2866/2022 & WP/3338/2021.*

Mr Nishit Dhruva, *with Prakash Shinde, Niyati Merchant, Yash Dhruva & Harsh Sheth, i/b MDP & Partners, for Respondent No.3 in WP/3775/2021, WP/4356/2021, WPST/6654/2022 & WPL/17482/2022.*

Mr Nishit Dhruva, *with Prakash Shinde, Niyati Merchant, Yash Dhruva & Harsh Sheth, i/b MDP & Partners, for Respondent No. 4 in WP/4356/2021.*

Mr Nishit Dhruva, *with Niyati Merchant & Harsh Sheth, i/b MDP & Partners, for Respondents Nos. 3, 7, 11, 15 & 17 in WP(L)/14347/2022.*

Mr Anil C Singh, ASG, *with Rui Rodrigues, YR Mishra, YS Bhate, DA Dubey, Sandesh Patil, Aditya Thakkar, DP Singh, Ashish Mehta, Ajinkya Jaibhave, Savita Ganoo, Deepak Shukla, Smita Thakur, Pranav Thakur, Chaitanya Chavan, Dhanesh Shah & Mohamedali M Chunawala, for the Respondents-UOI in all matters.*

Mr Anil C Singh, ASG, *with Aditya Thakkar & Ashish Mehta, i/b Ethos Legal Alliance, for Respondent No. 2 in WP/2681/2021.*

Mr Dhanesh R Shah, *for the Respondents-UOI in WP/719/2020, WP/837/2020 & WP/195/2021.*

Mr SK Halwasia, Senior Panel Counsel, *with SS Halwasia, Senior Panel Counsel, for Respondent-UoI in WPL/12790/2023, WPL/12813/2023 & WPL/12791/2023.*

Mr OA Das, *for Respondent No. 4-Bank of India.*

Ms Aditi Phatak, *with Vijay S, Parag Sharma, Kirti Ojha & Megha More, i/b BLAC Co, for Respondent No. 3 (RBI) in WP/2681/2021 in IAL/21646/2023.*

Mr Aaditya Thakker, *with Ashish Mehta & Dashrath Dubey, i/b Ethos Legal Alliance, for Respondent No. 2-UoI in*

WP/2681/2021.
Mr Himanshu V Pradhan, *with Shadab Jan in WP/3775/2021 & WPL/8821/2022.*
Ms Shaista Pathan, *with Pooja Shah, i/b Y&A Legals, for the Petitioner in WP/4356/2021.*
Mr NR Bubna, *for Respondent No. 1 - UOI in WP/51/2020.*
Ms Prachi Mulje, *i/b Pavan Patil, for Respondents Nos. 1 & 8 in WPL/12614/2022.*
Mr Anant R Bamne, *with Divya Bamne, i/b AR Bamne & Co, for Respondent No.2 in WP(L)/18651/2021 & WP/2789/2023 and for Respondent No. 3 in WPL/12790/2023, WPL/12813/2023 & WPL/12791/2023*
Mr Dashrath Dube, *with Rupesh Dubey, for Respondent No. 2 in WP/2681/2021.*
Mr Jai Vohra, *i/b SPP Amit Munde, for the Respondent-CBI in WP/2866/2022 with IA/1990/2023 & IA/1135/2024.*
Ms Manjiri Parasnis, *for some of the Banks.*

**CORAM G.S. Patel &
 Madhav J Jamdar, JJ.**
DATED: 23rd April 2024

PC:-

1. In the judgment that we have delivered today in these matters, we noted the appearances of the lead counsel. The complete appearances in the entire group of matters are noted in this order. It will not be possible to accept any application for speaking to the minutes to correct appearances.

(Madhav J. Jamdar, J)

(G. S. Patel, J)