
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1064 OF 2024

Manisha Milind Shinde

...Petitioner

Versus

The Branch Manager, Union Bank of India & Ors

...Respondents

***Mr. Nikhil Rajani**, with Mr. Shreyansh Desai, i/b M/s. V Deshpande & Co, for the Petitioner.*

***Mr. AI Patel, Addl. GP**, with Ms. Tanaya Goswami, AGP, for the Respondent-State.*

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SANJAY
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**CORAM B. P. COLABAWALLA &
ARIF S. DOCTOR, JJ.**

DATE: JULY 9, 2024

P. C.

1. In the order passed earlier, we find that Advocates had appeared on behalf of Respondent No. 1 as well as Respondent No. 2. Respondent No. 1, Union Bank of India, is a party from whom the Petitioner had originally taken a loan jointly with Respondent No. 2. It is the case of the Petitioner that this loan was repaid in full by State Bank of India (Respondent No. 3). This was done on the basis that the property

mortgaged with Union Bank of India would now be mortgaged with State Bank of India. However, despite this, Union Bank of India (Respondent No. 1) has refused to hand over the original title deeds to the State Bank of India or to the Petitioner because Respondent No. 2 has raised an objection. It appears that the Petitioner and Respondent No. 2 are wife and husband and the relations between them are estranged. It is for this reason that the Union Bank of India has not handed over the original title deeds either to the Petitioner or Respondent No. 3.

2. Today, when the matter was called out, none appears either on behalf of Respondent No. 1 or Respondent No. 2. From the record we find that Respondent No. 1 is represented by Mr Pradeepkumar Upadhyay and Respondent No. 2 is represented by Mr Alok Kumar Mishra. Though their respective names are shown on board, today, neither of them have appeared.

3. In these circumstances, we place the above matter now on 18th July 2024. The Advocates for the Petitioner are directed to serve Mr Pradeepkumar Upadhyay as well as Mr Alok Kumar Mishra with a copy

of this order and also inform them that the above Writ Petition is now kept on 18th July 2024.

4. We make it clear that if they do not appear on the next occasion despite service, we may proceed to pass orders in their absence. Parties are also put to notice that we may dispose of the above Writ Petition at the stage of admission, time permitting.

5. List the matter on 18th July 2024.

6. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[ARIF S. DOCTOR, J]

[B. P. COLABAWALLA, J]