Amol

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 866 OF 2024

Deepak Vadhani & Anr …Petitioners

Versus

Bank Baroda & Ors …Respondents

Ms. Janhavee Joshi, *with Ms. Shlesha Sheth & Mr. Milind Parab, i/b, FZB & Associates, for the Petitioners.*

Ms Savita Nangare, *with Mr. Vinod Nagula, i/b, Law Locus for the Respondents.*

CORAM M.S. Sonak &
Advait M. Sethna, JJ.
DATED: 12 December 2025

PC:-

1. Heard learned Counsel for the parties.

2. The Deputy General Manager, Bank of Baroda has filed an affidavit before us. Paragraph 5 of this affidavit states as follows:-

AMOL PREMNATH JADHAV

Digitally signed by AMOL PREMNATH JADHAV
Date: 2025.12.12 18:41:42 +0530

> "5. In compliance with the directions contained in the order dated 28th November 2025, the Respondent Bank conducted review of available records, viz., loan documents annexed to recovery suit records, pleadings filed before the DRT, and OTS documentation. Upon such review, we could not trace the original or copies of the securities as mentioned in Exhibit A to the Petition and as claimed by the Petitioners. The Bank's recovery suits were founded solely on Demand Promissory Notes and related

> unsecured loan documents. In the pleadings and documents forming part of the Bank's recovery suits, no securities were ever pleaded, disclosed, or relied upon as having been deposited by the Petitioners. Even at the time of considering and approving the OTS proposal in the year 2013 by Respondent Bank, no record or reference exists of any securities deposited by the Petitioners."

3. At least prima facie, the statements in the affidavit deserve to be accepted. If the bank had accepted any securities as collateral, it is reasonable to presume that the bank could have either appropriated those securities or at least raise the plea based thereof in the recovery suits filed by the banks. On affidavit, it is stated that the recovery suits were founded solely on demand promissory notes and related unsecured loan documents.

4. The learned Counsel for the Petitioners however submits that some records have been traced, the Petitioners may be allowed to at least inspect the same for their satisfaction that securities were not accepted as collaterals by the bank.

5. The learned Counsel for bank states these are old matters but whatever documents that are available, the bank, will have no difficulties in showing the same to the Petitioners.

6. Accordingly, the Petitioners to visit the bank on 18 December 2025 at 5.00 pm in the office of the Deputy General Manager of the Respondent-Bank. The Deputy General Manager or any other officer deputed by him should offer the Petitioners, who are senior citizens the inspection. If they require any copies, the learned Counsel for the bank states that same would be provided to them. The original need not be given to the Petitioners.

7. If the Petitioners are still dissatisfied, it is open to them to pursue the remedies of appeal etc under the Right to Information Act. This inspection and furnish of copies, is strictly without prejudice, considering that the Petitioners are senior citizens and the bank has also filed an affidavit which prima facie deserves to be accepted.

8. We dispose of this Petition in the above terms by appreciating the prompt action of Shri Ranjeev Bansal, Deputy General Manger. We are happy to record at least he has displayed the necessary sensitivity towards dealing with issues of senior citizens.

9. This Petition is disposed of. No costs. All concerned to act on an authenticated copy of this order.

(Advait M. Sethna, J) **(M.S. Sonak, J)**