

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14725 OF 2024

Ganesh Narayan Kavade and Anr.

.. Petitioners

Versus

The Wai Urban Co-operative Bank Ltd., Wai and
Ors.

.. Respondents

.....

- Mr. Sangram Bhosale, Advocate i/by Mr. Abhishek Salian a/w. Ms. Kinnari Raut, Advocate for Petitioners.
- Mr. Chinmay Deshpande, Advocate for Respondent Nos.1 to 3 – Bank appearing through Video Conferencing.
- Mr. N.C. Walimbe, AGP a/w. Mr. A.A. Alaspurkar, AGP for Respondent Nos.4 to 7 - State.

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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 25, 2025

P.C.:

1. Heard Mr. Bhosale, learned Advocate for Petitioners; Mr. Deshpande, learned Advocate for Respondent Nos.1 to 3 - Bank appearing through Video Conferencing and Mr. Walimbe, learned AGP for Respondent Nos.4 to 7 - State.

2. Grievance made by Petitioner is that Bank has already taken possession of one immovable property and is proceeding with fixation of price and sale proceedings thereof.

3. His further grievance is that Bank is also attempting to take possession of a second immovable property belonging to Petitioner. Challenge in the Petition is to recovery notices.

4. Petition is to be heard by this Court considering that Petitioners have exhausted the remedies available to them.

5. Mr. Deshpande would submit that he has instructions on behalf of the Bank to file Affidavit-in-Reply. Let the Affidavit-in-Reply be filed within a period of two weeks from today. Copy of the same shall be served on the learned Advocates for parties appearing on the other side.

6. Rejoinder, if any be filed within a week thereafter.

7. In the meanwhile, no coercive steps shall be taken against the properties of the Petitioner. If the bank wants to take any further steps for sale of the Petitioner's property, Bank is directed to take leave of this Court.

8. Advocate for Petitioner further seeks leave of this Court to file additional Affidavit dated 12.08.2025. Additional Affidavit is taken on record. Copy of the same is already served on Mr. Deshpande. The same be served on Mr. Walimbe, learned AGP

9. Stand over to **16th September 2025 at 03:00 p.m..**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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Date: 2025.08.25
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