

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4635 OF 2025

CSB Bank Ltd through Amitkumar Shankar Detke ..Petitioner
Versus

Suyog Constructions Through Its Partner & Ors ...Respondents

Mr. Alok Mishra, with Sejal Tambe, for the Petitioner.
Mr. Nikhilesh Pote, for Respondent Nos. 1 to 6.

CORAM: N. J. JAMADAR, J.
DATED : 7th MAY 2025

P.C.:

1. Heard the learned Counsel for the parties.

2. The challenge in this Petition is to an order dated 23rd December 2024, whereby the trial Court has directed the Defendant-Petitioner herein to maintain status-quo in respect of the suit property.

3. The Petitioner have preferred an Application for rejection of the Plaint under the provisions of Order VII Rule 11 of the Code of Civil Procedure 1908, on the premise that the Suit is barred by provisions contained in Section 34 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

4. The Petitioner has also filed an Application to set aside the said status-quo order. The learned Counsel for the Petitioner submitted that

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the said Application for vacating the status-quo has not be decided. Therefore, the Petitioner was constrained to file this Petition.

5. Having regard to the nature of the order passed by the trial Court and the fact that, the Application for temporary injunction awaits adjudication, it would be expedient in the interest of justice that the said Application for temporary injunction itself is decided expeditiously.

6. The Court is informed that the pleadings in the said Application for temporary injunction are completed.

7. In these circumstances, the trial Court is requested to hear and decide the Application for temporary injunction, as expeditiously as possible and, preferably, within a period of four months from the communication of this order.

8. Petition disposed.

[N. J. JAMADAR, J.]