

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9807 OF 2025**

Ajay Kumar Sravan Kumar Shukla ... Petitioner
V/s.
Tata Capital Housing Finance
Limited & Ors. ... Respondents

DINESH
SADANAND
SHERLA

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DINESH SADANAND
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Mr. Vivek S. Sawant for the Petitioner.
Mr. Omar K. Shaikh a/w. F. Shaikh and Mr. Sahil Salvi i/b Vikas
& Associates for Respondent No.1.

**CORAM : M.S. KARNIK &
N.R. BORKAR, J.J.
DATE : 16th JULY, 2025.**

P.C.

1. Not on board. In view of urgency, taken on production board.
2. Learned counsel for the petitioner submitted that the petitioner is willing to file an Undertaking stating that (i) amount of Rs.40,00,000/- as directed by the Debts Recovery Tribunal, Mumbai in the order dated 15th July 2025 would be deposited within a period of three months and (ii) in the event that the sum of Rs.40,00,000/- as directed by the Debts Recovery Tribunal is not deposited by him within a stipulated period, the petitioner will hand over the vacant and peaceful possession of the premises to the respondent – Bank.
3. The petitioner also raised various contentions. We make it clear that we have not yet heard the respondents.

4. Let the Undertaking be filed by 17th July 2025. Till the next date, possession of the premises, which is the subject matter of the petition, shall not be taken.

5. List on 17th July 2025. It is made clear that pendency of this petition will not come in the way of proceeding with the securitisation application pending before the Debts Recovery Tribunal.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)