

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10014 OF 2025

Gita Vishal Kakade

.. Petitioner

Versus

State Of Maharashtra

Through Tehsildar and Ors.

.. Respondents

.....

- Mr. Dipak Shinde, Advocate for Petitioner.
- Ms. P. J. Gavhane, AGP for Respondent Nos.1 and 3.
- Mr. Ajit Kenjale a/w. Mr. Azharuddin Khan, Advocate for Respondent Nos.1 and 2.

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CORAM : MILIND N. JADHAV, J.

DATE : AUGUST 05, 2025

P.C.:

1. Heard Mr. Shinde, learned Advocate for Petitioner; Ms. Gavhane, learned AGP for Respondent Nos.1 and 3 and Mr. Kenjale, learned Advocate for Respondent Nos.1 and 2.

2. Mr. Kenjale would submit that in compliance of directions contained in paragraph No.8 of the order dated 22.07.2025, the Affidavit is ready and the Bank shall place on record all details as desired by the Court.

3. Mr. Shinde, learned Advocate appears for Petitioner. It is *prima facie* seen that Petitioner is a businesswoman and owns a *saree* shop in Phaltan, District – Satara. If that be the case, Petitioner will have to show her *bonafides* failing which this Court will have to pass

appropriate orders in upholding the recovery certificate and the notice issued by Tahsildar. Ultimately, it is the money of Respondent No.2 - Bank which is public money, which is at stake.

4. Hence, Mr. Shinde shall take appropriate instructions from Petitioner and inform the Court as to how much deposit can Petitioner make upfront to show her *bonafides*. That apart, appropriate installments as desired to be deposited by Petitioner shall also be informed to the Court. Petitioner shall have to make upfront statement on next adjourned date and also statement with respect to the balance amount to be paid by Petitioner to the Bank.

5. The details of balance amount required to be paid by Petitioner to Bank shall be informed to Mr. Shinde by Mr. Kenjale.

6. In the meanwhile, ad-interim order shall continue and no coercive steps shall be taken against Petitioner for dispossession from the subject premises.

7. Stand over to **12th August, 2025 at 03:00 p.m..**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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