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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL WRIT PETITION (ST.) NO. 29997 OF 2025

Hill Top Estate

... Petitioner

V/s.

1. Union of India

(through the Secretary of the ministry of
Finance, Department of Financial Services)

and Others

... Respondents

WITH

CIVIL WRIT PETITION NO. 12208 OF 2025

Hill Top Estate

... Petitioner

V/s.

1. Union of India

(through the Secretary of the ministry of
Finance, Department of Financial Services)

and Others

... Respondents

Mr. Zal Andhyarujina a/w Shrey Sancheti i/b Carl Patel and Sanaea Umrigar
for Petitioner

Counsel Mr. Sidharth Samantaray a/w Mr. Abdullah Qureshi and
Ms. Malavika Sachin for Respondents

**CORAM : R.I. CHAGLA AND
FARHAN PARVEZ DUBASH, JJ.**

DATE : 19th SEPTEMBER 2025

ORDER :

1. By the Order dated 09th September, 2025 passed by this Court in Civil Writ Petition (L) No.29997/2025, the Regular Bench of DRT-III was directed to hear the Petitioner's Interim Application (L) No.2349/2025 in S.A. No.300 of 2025 on 15th September 2025 and pass order thereupon by 17th September 2025. It was observed that by an Order dated 26th August 2025 the DRT Bench-III had listed the matter on 15th September 2025 before the Regular Bench. The Writ Petition was accordingly disposed of by recording the statement of the Learned Counsel appearing for Respondent No.2 that the Respondent No.2-Bank will extend the time for depositing the balance of 75% of the auction consideration till 21st September, 2025.

2. Thereafter, by communication dated 16th September 2025 addressed by the Regular Bench i.e. DRT-I, Mumbai to the Registrar General of this Court a request was made that due to heavy pendency of both Tribunals, the time for disposal of Interim Application No.2349 of 2025 be extended till 19th September, 2025.

3. Today, when the Court is considering the extension requested by the Tribunal, the Petitioner has filed fresh Writ Petition No.12208 of 2025 challenging the Order dated 17th September 2025 passed by the DRT-III. By the said Order, the DRT-III has allowed the Intervention of the present Petitioner to come on record in the Securitisation Application No.300 of 2025. The remainder request of the present Petitioner made to the DRT-III

has not been entertained on the ground that the I.A. No.1910/2025 filed by the borrower on which status quo order had been granted would required to be disposed of prior to consideration of the prayers of the present Petitioner including directing issuance of sale certificate, registration etc.

4. The learned Counsel appearing for the Respondent No.2 Bank states that the Respondent No.2-Bank will have no objection to the present Petitioner depositing the balance sale consideration in a no-lien account with the Respondent No.2-Bank on or before 21st September 2025 i.e. the date when three months period for depositing balance amount of sale consideration/purchase price to be paid by the auction purchaser expires. The statement is accepted.

5. The Petitioner shall deposit the balance purchase price in a no-lien account with the Respondent No.2-Bank by 28th September, 2025.

6. The DRT-III is directed to dispose of I. A. No.1910 of 2025 with I.A. (L) No.2349 of 2025 filed in Securitisation Application No. 300 of 2025 on or before 25th September 2025.

7. The Writ Petitions are accordingly disposed of.

8. Both Writ Petitions shall be listed for compliance on 29th September, 2025.

(FARHAN PARVEZ DUBASH, J.)

(R.I. CHAGLA J.)