

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION STAMP NO. 29997 OF 2025

Hill Top Estate

... Petitioner

V/s.

Union of India
(through the Secretary of the Ministry of
Finance, Dept. of Financial Services) & Ors.

... Respondents

WITH

WRIT PETITION NO. 12208 OF 2025

Hill Top Estate

... Petitioner

V/s.

Union of India
(through the Secretary of the Ministry of
Finance, Dept. of Financial Services) & Ors.

... Respondents

WITH

WRIT PETITION NO. 13453 OF 2025

HDFC Bank Ltd.

... Petitioner

V/s.

Union of India
(through the Secretary of the Ministry of
Finance, Dept. of Financial Services) & Ors.

... Respondents

Mr. Zal Andhyarujina, Senior Counsel a/w. Mr. Shrey Sancheti i/b. Carl Patel & Sanaea Umrigar and Mr. Vrushabh Salva for Petitioner – Hill Top Estate.

Mr. Kevic Setalvaad, Senior Counsel a/w. Mr. Sidharth Samantaray, Mr. Abdullah Qureshi, Ms. Malvika Sachin i/b. India Law LLP for Petitioner – HDFC Bank

Mr. Mohamedali M. Chunawala i/b. A.A. Ansari for Respondent No. 1 in WP(L)/29997/2025 and WP/12208/2025.

Ms. Rachana S. Lad h/f. Liquidator Mahesh Sureka (Respondent No. 5)

Mr. Anirudh Hirani a/w. Ms. Kruti Bhavsar, Mr. Pratik Barot, Ms. Poorvi Chauhan, Mr. Amar Dube for Respondent No. 3 and 4 – Hill Top Estate.

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

DATE : 19th DECEMBER 2025

ORDER :

1. The Writ Petitions have been placed today in light of non-disposal of Interim Application No. 1910 of 2025 and Interim Application (Diary) No. 2349 of 2025 which have been filed before the Debts Recovery Tribunal – III, Mumbai (DRT – III, Mumbai). This is inspite of order dated 13th October 2025 which had directed the DRT – III, Mumbai to dispose of the said Interim Applications within a period of four weeks from the date of the said order as a last chance and no further chance will be given thereafter.

2. In the additional Affidavit of the Petitioner in Writ Petition No. 13453 of 2025, the Roznama of the DRT – III has been annexed. It appears from the Roznama that the matter has been coming up from time to time before the DRT – III, Mumbai and dates have been given in view of the above Writ Petitions pending before this Court. In the Roznama dated 21st November 2025, it is recorded by DRT – III that all sides to file argument notes in Interim Application No. 1910 of 2025. Further, that the timeline specified by this Court seems to have lapsed. Thereafter, the parties have filed their argument notes and the matter has been stood over by DRT – III in view of the above Writ Petitions coming up before this Court.

3. Considering that the DRT – III (In-charge) has been listing the said Interim Applications on various dates and the next date of listing is 23rd December 2025, we direct the DRT – III (In-charge) to commence the hearing of the said Interim Applications and dispose them of latest by 5th January 2026. The parties in the above Writ Petitions who are also parties before the DRT – III, in the said Interim Applications state that they do not propose to file any further argument notes before the DRT – III, Mumbai and that they will co-operate with Presiding Officer, DRT – III (In-charge), in the hearing and disposal of the said Interim Applications by the stipulated date.

4. The Presiding Officer of DRT – III (In-charge), Mumbai is directed not to entertain any adjournments sought for by the parties and to hear the said Interim Applications on dates fixed and, in any event, prior to 5th January 2026.

5. The Writ Petitions are being stood over beyond the stipulated date of disposal of the said Interim Applications and shall be placed for consideration on 12th January 2026.

6. The Advocates for the parties shall make available a copy of this order to the Registrar of DRT – III (In-charge), Mumbai to act upon.

(FARHAN P. DUBASH, J.)

(R.I. CHAGLA J.)

Ajay Jadhav
1.WP(ST)/29997/2025 with
WP/12208/25 with WP/13453/25