

Kavita S.J.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15024 OF 2025

Priyanka Manohar Harwani & Anr., ...Petitioners

Versus

VSJ Investments Pvt. Ltd. & Anr., ...Respondents

Mr. Niranjan Mogre i/b Mr. Akshay S. Karlekar for the Petitioners.

Mr. Jehaan Mehta a/w Mr. Ayush Rajani, Ms. Khushboo Shah i/b Ms. Khushboo Shah for Respondent No.1.

CORAM : R.I. CHAGLA, J.
FARHAN P. DUBASH, J.

DATED : 14th NOVEMBER, 2025.

ORDER :

1. The learned Counsel appearing for the Petitioners has sought for continuation of the ad-interim order of the Vacation Court on 22nd October, 2025 (as corrected by the Order dated 24th October, 2025) and further continued by Order dated 6th November, 2025 passed by this Court by a further period of one week for the Petitioners to file Affidavit-in-Rejoinder to the Affidavit-in-Reply filed

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by Respondent No.1.

2. The said ad-interim order of the Vacation Court had been passed in light of the DRT, Pune not functioning until 29th October, 2025 as stated by the learned Counsel for the Petitioners. The Vacation Court had considered that possession of the subject Flats was being taken on 24th October, 2025 and in view thereof had directed the Respondent No.1 not to take possession until 7th November, 2025. The said order has thereafter been continued by the Order dated 6th November, 2025 till today.

3. The Petitioners have already availed of their alternate remedy before Debt Recovery Tribunal under Section 17 of the SARFAESI Act. Accordingly, we are not inclined to entertain the present Writ Petition on this ground. The rights and contentions of the parties in the present Writ Petition are kept open and to be adjudicated before the Debt Recovery Tribunal.

4. In view thereof, the present Writ Petition is dismissed. There shall be no orders as to costs.

5. There shall be continuation of the ad-interim order passed by this Court till 28th November, 2025 for the Petitioners to

pursue their alternate remedy before the Debt Recovery Tribunal and seek protective orders therein, if they so desire.

[FARHAN P. DUBASH, J.]

[R.I. CHAGLA, J.]