

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

WRIT PETITION NO. 15258 OF 2025

Sambhaji Balkrishna Sawant

... Petitioner

V/s.

UCO Bank and Ors.

... Respondents

Mr. Mandar Soman with Nilesh Mule i/b. Vivek Phadke for the Petitioner
Mr. Rajkumar K. Shukla with Saraswati Rajpurohit for Respondent No.1

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

DATE : 11TH DECEMBER 2025

P.C. :

1. By this Writ Petition, the Petitioner is seeking quashing and setting aside of the order dated 10th November 2025 passed by the DRAT, Chennai, I/c. DRAT, Mumbai in Interim Application No. 695 of 2025 in Miscellaneous Appeal (D) No. 1383 of 2025.

2. By the impugned order, the DRAT has directed the Petitioner to make pre-deposit of 25% of the amount awarded by the DRT in Original Application (O.A.) No. 171 of 2008 i.e. a sum of Rs.14,45,377/- with interest at 10% per annum with monthly rests from the date of order till the date in

two equal installments to meet the requirements of Section 21 of the Recovery of Debts and Bankruptcy (**RDB**) Act, 1993 for entertaining the Petitioner's Appeal.

3. After hearing the learned Counsel for the parties, they have consented to the impugned order being set aside as Section 21 of the RDB Act does not contemplate the Petitioner who is not a person from whom the amount is due from a Bank to make pre-deposit as directed by the Appellate Tribunal.

4. Accordingly, by consent of parties, the following order is passed as under :-

(i) The impugned order dated 10th November 2025 passed by the DRAT, Chennai I/c. DRAT Mumbai in Interim Application No. 695 of 2025 in Miscellaneous Appeal (D) No. 1383 of 2025 is quashed and set aside.

(ii) The rights and contentions of the parties including the maintainability of the Appeal is expressly kept open.

(iii) The DRAT shall dispose of the Appeal of the Petitioner preferably within a period of eight weeks from today without insisting on pre-deposit from the Petitioner.

5. The Writ Petition is accordingly disposed of. There shall be no order as to costs.

(FARHAN P. DUBASH, J.)

(R.I. CHAGLA J.)

Jyoti Pawar

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