

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.16511 OF 2025

JITENDRA
SHANKAR
NIJASURE

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Date: 2025.12.09
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Nainesh V. Sanghavi, HUF

...Petitioner

Versus

NKGSB Co-Operative Bank Ltd. & Anr.

...Respondents

Mr. Ram Upadhyay i/b. Law Competere Consultus for the Petitioner.
Mr. Sanjay Anabhawane with Praful Chipte, for Respondent No.1.

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

DATE : 8TH DECEMBER, 2025

ORDER :

1. By this Writ Petition, the Petitioner seeks directions to the Respondent to comply forthwith with the Order dated 9th April, 2025 of the learned Presiding Officer, Debts Recovery Tribunal – 2 (“DRT-2, Mumbai”) by handing over physical possession of the said flat being Flat No.52, Manu Bhavan, Bhagat Singh Road, Vile Parle

(West), Mumbai 400 056 along with sale certificate and original Title documents of the said Flat.

2. The learned Counsel appearing for the Respondent No.1 – Bank states that the said Order dated 9th April, 2025 passed by the DRT-2, Mumbai will be complied in so far as the handing over of the physical possession of the said Flat. He states that the original title documents of the said flat are currently deposited with the DRT-2, Mumbai and hence the Respondent No.1 – Bank is unable to comply with the remainder of the said Order. The statement is accepted.

3. In view of the above, we direct the DRT-2, Mumbai to handover the original title documents of the said Flat together to the Petitioner by 22nd December, 2025. The Respondent No.1 – Bank shall thereafter by 23rd December, 2025 execute the sale certificate and issue the same to the Petitioner together with the handing over of physical possession of the said flat to the Petitioner.

4. Writ Petition is accordingly disposed of. There shall be no

Order as to costs.

5. The Writ Petition shall be placed for compliance on 24th December, 2025.

[FARHAN P. DUBASH, J.]

[R.I. CHAGLA J.]

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