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H.C. SHIV

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 10942 OF 2025
IN
WRIT PETITION (ST) NO. 25667 OF 2025

Minesh Devendra Shah ...Applicant

IN THE MATTER BETWEEN

Minesh Devendra Shah ...Petitioner

Versus

Bank of India and Anr. ...Respondents

Mr Mandar Soman, for the Applicant/Petitioner.
Mr Anant B. Shinde, for Respondent No.1.

CORAM: SUMAN SHYAM &
SHYAM C. CHANDAK, JJ.

DATED: 21ST AUGUST 2025.

PC:-

1. Heard Mr. Soman, learned Counsel for the Applicant/Petitioner and Mr. Shinde, learned Counsel for Respondent No.1.

2. This Interim Application is filed with a prayer to extend the time indicated in paragraph 5 of the order dated 25th July 2025, passed in Writ Petition (Stamp) No.25667 of 2025, granting two

weeks time to hear the prayer for interim order made by the Applicant before the learned DRT.

3. Mr. Soman, learned Counsel for the Applicant submits that in terms of the order dated 25th July 2025, his client has already deposited a sum of Rs.2 crores with the Respondent No.1-bank and is pursuing his Interim Application for stay, which has been heard by the learned DRT. However, no effective order has been passed in that application till today. The Applicant, therefore, apprehends that taking advantage of the absence of any order passed by the DRT on the Interim Application, further action of taking over possession of the property may be initiated by the bank. Thus, this Interim Application is moved for extension of time.

4. Mr. Shinde, the learned Counsel for Respondent No.1 submits that the matter is fixed before the learned DRT on 25th August 2025, and therefore, no further order is called for in this matter.

5. After taking note of the submissions made at the bar, without expressing any opinion on the merit of the claim, we dispose of this Interim Application by observing that since the prayer for interim order made by the Applicant has already been heard by the learned DRT, until an effective order is passed in the said interim application filed by the Applicant, no further action in terms of the possession notice shall be initiated, subject, however, to the condition that no adjournment is sought by the Applicant before the learned DRT in the pending matter.

6. Rest of the order dated 25th September 2025, shall remain unaltered.

7. Interim Application stands disposed of.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)