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H.C. SHIV

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 11213 OF 2025
IN
WRIT PETITION NO. 10416 OF 2025

Ali Agha Namazi ...Petitioner
Versus
State of Maharashtra & Ors. ...Respondents

Mr Mandar Soman with Sanjay Anabhawane with Tejaswi Nanche
i/b Pranay Juvekar for the Petitioner.
Mr N. C. Walimbe Addl. G.P. with Mr. A. A. Alaspurkar AGP for
Respondent No.1.
Ms Somaya i/b T. N. Tripathi & Co. for Respondent No.2.

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

DATED: 21ST AUGUST 2025.

PC:-

1. Heard Mr. Soman, learned Counsel for the Applicant, Mr. Walimbe, learned Addl. G.P for Respondent No.1 and Ms. Somaya, learned Counsel for the Respondent-bank.

2. On 28th July 2025, this Court (Coram : M. S. Karnik and N.R. Borkar, JJ.) has passed an order in Writ Petition No.10416 of 2025, by granting the Petitioner/Applicant six weeks time to deposit the amount of Rs.12,50,000/-, failing which, the Respondent-Bank had been empowered to take possession of the

property in question. The instant Application has been filed seeking extension of time for depositing the said amount.

3. Mr. Soman, the learned Counsel submitted that his client had already deposited an amount of Rs.5,00,000/- and is making all efforts for arranging the remaining amount. Contending that the Applicant is ready and willing to comply with the order of this Court, he has sought four weeks extension of time for depositing the balance amount with assurance that no further time would be sought for the purpose.

4. Ms. Somaya, the learned Counsel for the Respondent-Bank has opposed the prayer. She further submits that since the Applicant has failed to deposit the amount, the Respondent-Bank be granted liberty to take over possession of the property.

5. After hearing the submissions made at bar, we dispose of the Interim Application by granting four weeks further time with effect from today, to the Applicant to deposit the balance amount of Rs.7,50,000/- by making it clear that, if the amount in full is not deposited within the time so extended by this order, the Bank Authorities may proceed with matter and take possession of the property without any further notice to the Applicant.

6. Interim Application is disposed of accordingly.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)