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

INTERIM APPLICATION NO. 11566 OF 2025

IN

WRIT PETITION NO. 6074 OF 2025

Vibha Mhalsekar

... Petitioner

Versus

1. Union of India

**(through the Ministry of Finance -
Department of Financial Services,
New Delhi) and Ors.,**

...Respondents

Mr. Siddharth Jha a/w Sumeet Upadhyay i/b Law Global Advocates for
Petitioner

Mr. Shadab Siddiqui i/b R. L. Motwani for Respondent No.3

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

DATE : 15th SEPTEMBER 2025

ORDER :

1. This Interim Application has been taken out in the disposed of Writ Petition seeking inter alias direction to the Debts Recovery Tribunal (DRT-III Vashi) to hear the Interim Application No.3675 of 2025 filed by the Petitioner within a period of two weeks and to stay the auction process initiated by the Respondents.

2. It is pertinent to note that the Securitisation Application No.244 of 2023 has been filed by the Petitioner. The main grievance of the Petitioner is that the Petitioner has lost possession of the secured asset inspite of the procedure under the Securitisation Act namely Section 13(2) and 13(4) not having been followed in the manner contemplated under the SARFAESI Act.

3. The Learned Counsel appearing for the Petitioner has submitted that in present case the Section 13(4) Notice preceded the Section 13(2) Notice and this was contrary to the priority of issuance of notices under the SARFAESI Act.

4. By the Order dated 06th May 2025 as corrected, this Court whilst disposing of the Petition had considered the submission of the Petitioner viz non-consideration by the Debts Recovery Tribunal (DRT) of the Securitisation Application despite the Petitioner having lost possession of secured assets. This Court had granted liberty to the Petitioner to seek expeditious consideration of Securitisation Application by the DRT in the given facts of the case.

5. The learned Counsel for the Petitioner states that after the passing of the Order dated 06th May 2025, the DRT has still not heard the Securitisation Application expeditiously inspite of the request made by the Petitioner.

6. The Petitioner has accordingly filed the present Interim Application.

7. We have considered that the Securitisation Application No.244 of 2023 is still pending adjudication by the DRT. Further, we are given to understand that the Securitisation Application has been adjourned to 24th February, 2026. The DRT ought to have heard the Securitisation Application filed by the Petitioner expeditiously given the previous order passed by this Court on 6th May, 2025.

8. The DRT is accordingly directed to hear and dispose of the Securitisation Application No.244 of 2023 filed by the Petitioner within a period of four weeks from the uploading of this order.

9. The earlier statement of the Learned Counsel for the Respondent No.3 recorded in Order dated 8th August, 2025 shall continue to operate till the hearing and disposal of the Securitisation Application of the Petitioner.

10. The Interim Application is accordingly disposed of.

(FARHAN P. DUBASH, J.)

(R.I. CHAGLA J.)