



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
WRIT PETITION NO.7870 OF 2025

M/s Sarvasiddhanta Education Society

..vs..

Edelweiss Asset Reconstruction Company Ltd.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.P. Deshpande, Advocate a/w Shri KR. Jain, and Shri P.S. Lingayat, a/Advocate for the petitioner.

CORAM: ANIL S. KILOR AND RAJNISH R. VYAS, JJ.
DATED : 10/12/2025.

Heard the learned Counsel for the petitioner.

2. At the out set, it is submitted that the Debts Recovery Tribunal, Nagpur ('the Tribunal') vide order dated 08.04.2025 (page 77) has stayed the possession on the condition of deposit of Rs.1 crore. However, still vide order dated 17.11.2025, 12th Joint Civil Judge Senior Division and Additional Chief Judicial Magistrate, Nagpur has issued the possession warrant.

3. Be that as it may, at the present stage, it would not be proper to comment anything on the enforceability of order dated 08.04.2025 (page 77).

4. In view of the peculiar facts and circumstances of the case, we hereby protect the possession of the petitioner for two weeks from today.

5. Learned Counsel for the petitioner is permitted to move an appropriate application for clarification of order dated 08.04.2025 before the Tribunal.

6. If any such application for clarification is moved by

17.12.2025, the Tribunal shall decide the same by 22.12.2025.

7. In case the Tribunal comes to the conclusion that the stay order is in favour of petitioner then the 12th Joint Civil Judge Senior Division and Additional Chief Judicial Magistrate, Nagpur is directed to act in accordance with the said order.

8. The petition stands disposed of accordingly.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)

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