



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2288 OF 2025

(Shri Panju S/o Premchand Daswani & Anr.

Vs.

Union Bank of India, Hajariphad, Seminary Hills, Nagpur, Thr. is
Authorized Officer & Ors.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. V.V. Bhangde, Advocate for the Petitioners.

**CORAM: AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.**

DATED : 25th APRIL, 2025

1. Heard Mr. Bhangde, learned Counsel for the Petitioners.

2. The Petitioners who have agreement of sale with the original borrowers Respondent Nos.4 and 5, in respect of Plot No. 31 admeasuring 2400 sq.ft., Khasra No. 21/1 situate in Indora Housing Accommodation Scheme of NIT City Survey No. 15/44 Jaripatka, Corporation House No.1723/E/50 on 21.10.2024 for the total consideration of Rs.1.26 Crores, out of which Rs.26 Lakhs has been paid to the Respondent Nos.4 and 5, had applied to the Debts Recovery Tribunal, Nagpur (for short "DRT"), for making payment of the entire amount due and payable by the Respondent Nos. 4 and 5, which according to the Respondent No.1/Bank was a

sum of Rs.74,10,000/- as is indicated in the affidavit-in-reply filed by the Union Bank of India before the DRT in respect of I.A No. 505/2025 in S.A. No. 67/2025 (para 5 page 73).

3. It is submitted, that inspite of the said offer being made, the learned DRT had considered the application and has merely adjourned the matter to 28.04.2025 indicating the auction to go ahead.

4. Mr. Bhangde, learned Counsel for the Petitioners, upon instructions makes a statement, that the entire amount due and payable of Rs.74,10,000/- and anything more which may found due and payable, in respect of the proceedings in S.A No. 67/2025 would be paid by the Petitioners and in order to demonstrate the readiness a Demand Draft of Rs.74,10,000/-, has been tendered across the bar by him dated 25.04.2025 in the name of the Respondent No.1/Bank. we direct the Respondent No.1 to receive the amount and encash the Demand Draft.

5. Issue notice for final disposal to the Respondents, returnable on **07.05.2025**.

6. Mr. S.D. Ingole, learned Counsel waives notice for the Respondent No.1/Bank.

7. Mr. N.S. Deshpande, learned DSGI waives notice for the Respondent No.3.

8. The proposed auction of the aforesaid property shall stand stayed till the returnable date.

9. The original Demand Draft in the sum of Rs.74,10,000/- is being handed over to the learned Counsel for the Respondent No.1/Bank for encashment by the Respondent No.1/Bank.

10. The Petitioners to serve the other Respondents by all modes permissible in law.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

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