IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12159 OF 2026

The Administrator APMC ..Petitioner

Versus

Shree Nashik Panchavati Panjarpol Trust & Ors. ...Respondents

Mr. Anil Anturkar, Senior Advocate, a/w Mr. Pramod N Joshi, Mr. Bipin A Singh, Ms. Gauri Kamat, for the Petitioner.

Mr. Anil Ahuja, a/w Ms. Bhavana Khemani, for Respondents.

Smt. Sulbha Chipade, AGP for Respondent – State.

CORAM : N. J. JAMADAR, J.
DATE : 01st OCTOBER 2026

SAINATH SANJAY BODKHE
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Date: 2026.10.03 12:51:08 +0530

P.C.:

1. Heard the learned Counsel for the parties.

2. The challenge in this petition is to an order dated 02nd September, 2026 passed by the Executing Court in L.R. Darkhast No.23/2006 whereby the Executing Court has freezed all the 14 bank accounts of the Petitioner – Judgment Debtor No.2.

3. The execution petition has a chequered history as the award dated 17th March, 2006 passed by the Reference Court still awaits satisfaction.

4. At the outset, it is necessary to note that, First Appeal No.1447/2006 preferred against the award awaits adjudication before a Division Bench of this Court.

5. The petitioner has preferred this petition as the impugned order directing the freezing of all its bank accounts has brought the operations of the Petitioner – APMC, to a grinding halt. In the statement at Exh.I (pg. 138 of the petition), the petitioner has furnished the details of the expenses for which the petitioner is required to operate the bank accounts, including the payment of the salaries and provident fund contribution of 131 employees of the APMC and other obligatory expenses.

6. In the backdrop of the aforesaid nature of the grievance, the petitioner was directed to file an affidavit disclosing the status of the 14 banks accounts which have been ordered to be freezed by the Executing Court. Pursuant thereto, an additional affidavit has been filed on behalf of the petitioner. A statement of the bank accounts is annexed thereto.

7. Mr. Anturkar, the learned Senior Advocate for the petitioner, submits that, in addition to the two fixed deposits aggregating to a sum of Rs.08,23,48,867/- (Rupees Eight Crores Twenty Three Lakhs Forty Eight Thousand Eight Hundred and Sixty Seven) maintained with HDBC Bank, Panchvati Branch,

Nashik, substantial amounts are lying to the credit of the account of the petitioner in the bank accounts maintained with the Central Bank of India, Nashik Branch and HDFC Bank, Panchvati Branch (Serial Nos.10 to 12 of the statement).

8. Since the Petitioner – APMC is required to incur expenditure for its day – today operations and also pay the salaries of the employees and incur other obligatory expenses, with the consent of Respondent No.1 – decree holder, the freezing order shall stand vacated qua the accounts at Serial No.11 HDFC Bank, Panchvati Branch, IFSC Code : HDFC0002041, Account No. 50200031852151, (Balance : Rs. 67,53,029.98/-) and Serial No. 12 HDFC Bank, Panchvati Branch, IFSC Code : HDFC0002041, Account No. 50100240550708, (Balance : Rs. 72,03,851.30/-).

9. The petitioner is permitted to operate the aforesaid two accounts upon deposit of the amount of Rs.08,23,48,867/- (Rupees Eight Crores Twenty Three Lakhs Forty Eight Thousand Eight Hundred and Sixty Seven), standing to the credit of two fix deposits accounts maintained with HDFC Bank, Panchavati Branch, in the Executing Court.

10. It is clarified that, the order of freezing qua the aforesaid two accounts would be lifted only upon the deposit of the aforesaid amount in the Executing Court.

11. The Writ Petition stands disposed.

[N. J. JAMADAR, J.]