

Mr. Charles De Souza a/w. Mr. Rupak Sangwika for petitioner.
Mr. Shashank Fadia a/w. Ms. Priyanka Fadia for respondent No.1.
Mr. Swapnil Nuwaskar for respondent Nos.2 to 4.
Ms. Tanu N. Bhatia, AGP for respondent No.5-State.

P.C. :

. Heard learned counsel for the petitioner.

2. The learned counsel for the petitioner, on instructions and on the basis of the statements made in the writ petition, submits that the petitioner is ready to make payment to respondent No.1 of the alleged shortfall in repayment of amount by the original borrowers i.e. respondent Nos.2 to 4. It is submitted that having paid the entire consideration for the subject flat, as on today, the petitioner is out of possession and forced to stay in rented accommodation. Attention of this Court is invited to a letter dated 21.04.2025 addressed to respondent No.1, stating that the petitioner is ready to pay the difference amount of ₹ 1,64,194 against the subject flat.

3. Since respondent No.1 is essentially interested in recovery of its dues, we are of the opinion that respondent No.1 ought to respond to the said contentions raised on behalf of the petitioner.

4. Issue notice for final disposal, returnable on 18.03.2026, to be listed at the bottom of the supplementary list.
5. Mr. Fadia waives notice on behalf of respondent No.1.
Mr. Swapnil Nuwaskar waives notice on behalf of respondent Nos.2 to 4.
6. Reply affidavit, if any, be filed before the next date of listing.

(SHREERAM V. SHIRSAT, J)

(MANISH PITALE, J.)

Priya Kambli