

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5866 OF 2026

Ramesh Kashinath Pawar .. Petitioner
V/S.
Cholamandalam Investment and .. Respondent
Finance Company Ltd

Mr. Ameya Kulkarni i/by Arnold Thomas, for the petitioner
Mr. Charles Desouza for the petitioner in WP/5274 / 2026.
Mr. Sanjay Anabhawane i/by Medha Rane, for respondent No. 1

CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.
DATE : 6TH MAY 2026.

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1. Learned counsel for the petitioner submits that although the petitioner has prayed for specific reliefs in terms of the prayer clauses (a) and (b), the relief in prayer clause (c) is being pressed, inasmuch as the petitioner seeks a direction to the Debt Recovery Tribunal for expeditious disposal of the Securitisation Application No. 432 of 2024 filed by the petitioner.
2. Learned counsel for the petitioner submits that inadvertently in the Writ Petition, the year of the Securitisation Application has been erroneously recorded, but the correct number is Securitisation Application No. 432 of 2024.
3. The petitioner is an auction purchaser, essentially seeking

refund of 25% of the amount deposited during the course of the auction conducted by the respondent (secured creditor).

4. When the petition was called out for consideration, Mr. Anabhuwane, learned counsel appeared in the matter, informing that this Court had recently passed an order in which this very respondent (secured creditor) was a party, concerning the very same secured asset.

5. It was submitted that on 24/04/2026, this Court passed an order in Writ Petition No. 5274 of 2026 (Nitin Vasant Modak Vs. Choramandalam Investment and Finance Company Ltd. and Ors). It was submitted that the said order could have a bearing on the present Writ Petition. As matter of fact Mr. Desouza, the learned counsel who represented the petitioner in Writ Petition No. 5274 of 2026 is also present in the Court and he appeared to apprise this Court about the developments in the matter before the DRT pursuant to the order dated 24/04/2026.

6. A perusal of the order dated 24/04/2026 passed in Writ Petition No. 5274 of 2026 shows that this Court considered it appropriate to direct that the Securitisation Application filed by the said Nitin Vasant Modak bearing Securitisation Application No. 95 of 2022 along with Interim applications therein should be heard by DRT-I at Mumbai, as the hearing in the said proceeding has remained part heard. It appears that in the midst of the hearing, the said Securitisation Application stood transferred to DRT-II on the basis of the notice issued by the Assistant Registrar of DRT.

7. In the said order dated 24/04/2026 passed in Writ Petition No. 5274 of 2026, this Court directed that the Securitisation Application No. 95 of 2022 and pending Interim Applications should

be disposed of by the DRT-I on or before 31/07/2026.

8. It is undisputed that the aforesaid Securitisation Application No. 432 of 2024 filed by the petitioner in this Writ Petition also concerns the same secured asset.

9. In such circumstances, it would be in the interest of justice that the Securitisation Application filed by the petitioner herein is tagged along with the aforementioned Securitisation Application No. 95 of 2022 to be heard by DRT-I, so that both the Securitisation Applications can be comprehensively heard and disposed of.

10. In view of the above, the present Writ Petition is disposed of by directing that Securitisation Application No. 432 of 2024 filed by the petitioner herein shall be placed before the DRT-I, Mumbai, to be heard along with Securitisation Application No. 95 of 2022.

11. Both the Securitisation Applications shall be taken up for further consideration and disposed of expeditiously, and in any case on or before 31/07/2026.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)