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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16276 OF 2025

Visharam Tenneries Enviro Control

Pvt. Ltd.

...Petitioner

Versus

Union of India

Ministry of Finance and Anr.

...Respondents

Mr. Madhur Rai a/w Ms. Sneha Nandgaonkar i/b Ms. Jyoti Ghorpade for
the Petitioner.

Mr. Mohamedali M. Chunawala for Respondent No.1.

CORAM: MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.

DATE: 1st APRIL 2026

P.C.

1. Heard Learned Counsel for the Petitioner.
2. By this Petition, the Petitioner has challenged order dated 31st October 2015 passed by the Debts Recovery Appellate Tribunal, Mumbai (*"the DRAT"*). By the said order the DRAT directed the Petitioner to make pre-deposit to the extent of 25% of the amount determined and the Petitioner was granted facility of two installments to make such deposit. The first installment was to be paid by 14th November 2025 and the second installment was to be paid by 28th November 2025.
3. The Petitioner filed this Writ Petition on 18th November 2025 and it has been circulated today.
4. We find that the DRAT in the impugned order has considered the

contentions of the Petitioner and referred to the statutory mandate under Section 21 of the Recovery of Debts and Bankruptcy Act, 1993 (*“the RDB Act”*). After referring to the said statutory mandate, the DRAT reduced the mandatory pre-deposit from 50% to 25% as per the proviso to Section 21 of the RDB Act.

5. Having considered the impugned order and the submissions made on behalf of the Petitioner, we do not find any reason to interfere with the impugned order. As a matter of fact, the proviso to Section 21 of the RDB Act makes it clear that the pre-deposit shall not be less than 25% of the amount of the debt due. Therefore, no fault can be attributed to the DRAT in passing the impugned order. The Petitioner has not even disputed that amount is due and payable to the Respondent No.2 – Bank.

6. We do not find any merit in the present Writ Petition. We also find that the impugned order being a self operating order, due to failure on the part of the Petitioner to make pre-deposit as per the directions contained in the impugned order, the Appeal itself has been rejected.

7. At this stage, the Learned Counsel for the Petitioner made a fervent plea that this Court may consider granting extension of time to make the pre-deposit and that if such pre-deposit in terms of the impugned order is made within the extended period of time, this Court may consider directing that the Appeal filed before the DRAT would be revived.

8. Although, the Respondents are not before this Court, as a matter of indulgence and in the light of the willingness shown by the Petitioner to

make the pre-deposit in terms of the impugned order, we are inclined to issue appropriate directions in this Writ Petition.

9. In view of the above, the Writ Petition is dismissed. However, the Petitioner is granted time till 30th April 2026 to make the pre-deposit in terms of the impugned order dated 31st October 2025. The aforesaid extension of time is granted only as a matter of discretion exercised by this writ Court in the light of the willingness shown by the Petitioner to make such pre-deposit in the extended period of time. It is made clear that no further extension shall be granted.

10. In the event, the Petitioner complies with the direction contained in the impugned order on or before 30th April 2026, the Appeal shall stand revived before the DRAT for consideration on merits.

11. It is made clear that this Court has not made any observations on the merits of the matter.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)