

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3377 OF 2026

Ajay Sadashiv Kamble ... Petitioner
Versus
Central Bank of India & Ors. ... Respondents

Mr. Sidharth Samantaray a/w Mr. Mahesh Karule for Petitioner.
Mr. Ojas Gole for Respondent No.1-Central Bank of India.
Mrs. P. M. Joshi-Deshpande, AGP for Respondent No.4-State.

**CORAM : MANISH PITALE AND
SHREERAM V. SHIRSAT, JJ.
DATE : 12th MARCH 2026**

P.C. :

. This writ petition is filed by the petitioner, who was a tenant in a premises that was secured asset of respondent No.1-bank (secured creditor). In pursuance of action taken under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Securitisation Act), the respondent No.1-bank proceeded to take physical possession of the said premises.

2. The present petition is filed by the petitioner for the limited purpose of allowing him to enter the said premises to remove certain medicine and other articles from the premises. It appears that the petitioner was storing medicine in the said premises, as part of his business. It is informed that the medicine is required to kept under a particular temperature control and the electricity supply of the premises being disconnected, there is likelihood of

the medicine being damaged. It is submitted that the medicine pertains to cancer treatment and therefore, this Court may show indulgence in granting prayer clauses (a) and (b).

3. Respondent No.1 has appeared through counsel and he submits that the respondent No.1-bank would not have any objection if the relief in terms of prayer clauses (a) and (b) is granted, provided the petitioner completes his activity within a time bound period.

4. In view of the above, the petition is allowed in terms of prayer clauses (a) and (b), which read as follows :

(a) that this Hon'ble Court be pleased to issue a Writ of mandamus or a Writ in the nature of mandamus or any other appropriate Writ directing Respondent No.1 bank to allow the Petitioner to enter into premises for limited purpose to remove the medicine and his article from premises i.e. Flat No. 103, Wing B Shiv Savli Complex, Shivali Nagar, Dombivali, Thane – 421201;

(b) that this Hob'ble Court be pleased to issue a Writ of mandamus or a Writ in the nature of mandamus or any other appropriate Writ directing authorized officer of Respondent No.1 bank to accompany the Petitioner while collecting medicine and his article from premises i.e. Flat No. 103, Wing B Shiv Savli Complex, Shivali Nagar, Dombivali, Thane – 421201.

5. Considering the urgency in the matter, the respondent No.1-bank is directed to cooperate with the petitioner to execute the above order, forthwith.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)