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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1603 OF 2026
IN
WRIT PETITION NO.1844 OF 2026**

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Sinhgad Technical Education Society

**...Applicant /
Petitioner**

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. V.P. Sawant, Senior Advocate, with Nitin Dhumal for the
Applicant / Petitioner.

Ms. Kavita Solunke, Additional Government Pleader with V.D.
Badgujar, AGP for the State.

Rathina Maravarman with Asma Batatawala and Priyanka Acharekar
for Respondent No.14.

**CORAM : R.I. CHAGLA AND
ADVAIT M. SETHNA, JJ.
DATE : 24TH FEBRUARY, 2026.**

ORDER :

1. By this Interim Application, the Applicant / Original
Petitioner has sought a clarification that the order dated 12th
February, 2026 passed in Writ Petition No.1844 of 2026 contemplates
disbursement of approved reimbursement amounts of Rs.55 Crore to
Respondent No.14 – Bank of Baroda only to the extent of compliance

with the Order dated 9th December, 2025 passed by the Presiding Officer, Debts Recovery Tribunal, Pune (“DRT” Pune) in IA No.3841 of 2025 in M.A. No.18 of 2025 (Exhibit -J to the Petition) and not towards satisfaction of the entire alleged dues of the Respondent No.14 – Bank of Baroda.

2. Mr. Sawant, the learned Senior Counsel for the Applicant / Original Petitioner has referred to interim prayer clause (e) of the Writ Petition which seeks a direction to Respondent Nos.1 to 13 to forthwith disburse / pay Rs.55 Crore directly to the Bank of Baroda from the amount due and payable to the educational institutions of the Petitioner society towards the applications of the respective reserved category students for reimbursement of fees which are already verified and approved by the concerned department.

3. Mr. Sawant has also referred to the relevant averments in paragraphs 26, 28 and 30 of the Petition, wherein the Petitioner has referred to proceedings instituted by the Respondent No.14 – Bank before the DRT, Pune and the request made by the Petitioner to the Social Welfare Department to remit the sum of Rs.60 Crore (out of which Rs.5 Crore has thereafter been paid) from the total due and

payable to the Petitioner Society of over Rs.239 Crore directly to the Respondent No.14 – Bank.

4. Mr. Sawant has submitted that in the said Order dated 12th February, 2026, this Court has directed the concerned Respondent – State Department to reimburse the approved fees to the Respondent No.14 – Bank to the extent of outstanding dues instead of to the extent of Rs.55 Crore for which interim relief had been sought by the Petitioner. He has submitted that the Respondent No.14 – Bank is acting upon the said Order by addressing communication dated 17th February, 2026 to the concerned Respondent – State Department to remit their outstanding dues.

5. Ms. Maravarman, the learned Counsel appearing for the Respondent No.14 – Bank has referred to the Order dated 21st April, 2025 passed by the DRT, Pune, wherein the DRT, Pune had stayed taking possession of the Suit properties on the schedule date i.e. on 22nd April, 2025 as described in the disputed demand notice dated 5th March, 2025 on the condition that the Petitioner herein shall deposit Rs.5 Crore by 30th April, 2025 and additional Rs.5 Crore with the Respondent No.14 – Bank of Baroda within a period of two

weeks from the said Order. Further, the Petitioner was to communicate in writing to Social Welfare Department, Government of Maharashtra by 5th May, 2025 for remitting amount of Rs.60 Crore out of amounts of Free-ships / Scholarships to be received by the Petitioner directly to the Respondent No.14 – Bank of Baroda after remitting of remaining dues of Rs.36 Crore to Cosmos Bank.

6. Ms. Maravarman submits that though the said Order had been passed way back on 21st April, 2025 the Petitioner is yet to comply with the said order and / or repay the outstanding dues of the Respondent No.14 – Bank. She has accordingly submitted that in the event the Court is inclined to allow the present Interim Application by clarifying in the Order dated 12th February, 2026 that the disbursement of Free-ships / Scholarships is to the extent of Rs.55 Crores to Respondent No.14 – Bank of Baroda, the clarification is required to be without prejudice to the SARFAESI proceedings which have been instituted by Respondent No.14 – Bank of Baroda before the DRT, Pune for recovery of their entire outstanding dues.

7. Having considered the present Interim Application given

the aforementioned averments in the Petition as well as interim prayer (e) in the Writ Petition, we modify paragraph 6 of the said Order dated 12th February, 2026 by directing the concerned Respondent – State Department to disburse the approved reimbursement amounts of Rs.55 Crore to Respondent No.14 – Bank and not their entire outstanding dues. This is only to the extent necessary for compliance of the Petitioner with the Order dated 9th December, 2025 passed by the DRT, Pune in IA No.3841 of 2025 in M.A. No.18 of 2025 (Exhibit J to the Petition) and not towards satisfaction of the entire alleged dues of the Respondent No.14 – Bank. The balance approved amount shall be reimbursed by the Respondent – State Department towards fees to the Petitioner – Institute. This is without prejudice to the SARFAEI proceedings which have been instituted by Respondent No.14 – Bank of Baroda before the DRT, Pune in which they have made a claim for their entire outstanding dues which they allege are payable by the Petitioner.

8. Interim Application is accordingly disposed of. There shall be no order as to costs.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA J.]