



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 261 OF 2026

M/s KSA Timbers Mart and ors.

Vs.

Union of India, Ministry of Finance, Thr. Secretary, New Delhi and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Sachin Fuladi, Advocate for petitioners.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 13.01.2026

Heard Shri Fuladi, learned counsel for the
petitioners.

2. The petitioners have approached this Court
seeking directions in the nature of various prayer clauses;
which include following prayers :

*“ (III) Direct the learned Presiding Officer, Debts Recovery
Tribunal, Nagpur to adjudicate and decide IA No.1946/2025
and 1945/2025 in SA No.240/2025 pending before the learned
Debts Recovery Tribunal, Nagpur immediately.*

*(IV) In the event of IA No.1946/2025 being rejected or
adverse order being passed , such order be kept in abeyance for a
period of four weeks to enable the petitioners to approach the
learned Debts Recovery Appellate Tribunal, Mumbai/Chennai
to seek appropriate redressal.*

3. The petitioner has already approached the
learned DRT, Nagpur vide S.A. No.240/2026. The

petitioners have also filed interim application for grant of stay bearing No.1946/2025.

4. The contention is that the aforesaid application though filed on 26.12.2025, it has not been decided till today.

5. Shri Fuladi, learned counsel for the petitioners submits that the matter is kept on 19/01/2026 and hence, even if the aforesaid application is decided and is rejected then, a severe prejudice will be caused to the petitioners in view of the fact that auction sale is fixed on 21/01/2026. If the interim application of the petitioners is rejected on 19/01/2026, they will not even get time to challenge the same and seek further interim protection from learned Debt Recovery Appellate Tribunal, Mumbai as the Presiding Officer at Debt Recovery Appellate Tribunal, Mumbai, is not available and the charge of Debt Recovery Appellate Tribunal, Mumbai is kept with Debt Recovery Appellate Tribunal, Chennai. Thus, by the time the petitioners move DRAT, Chennai, auction sale will be conducted on 21/01/2026.

6. In view of above, issue notice to the respondents, returnable on **27.01.2026**.

7. The learned DRT, Nagpur is directed to decide the aforesaid interim application No.1946/2025 within a period of two weeks. If the aforesaid application

is rejected, such order be kept in abeyance for the period of two weeks thereafter to enable the petitioners to approach the learned Debt Recovery Appellate Tribunal, Mumbai/ Chennai to seek appropriate reliefs.

8. Hamdast granted.

(Raj D. Wakode, J.)

(Anil S. Kilor, J.)