



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

WRIT PETITION NO.1887/2026

Shri Gurudeo Cotton Industries Thr. Partner Shriram Wasudeorao Sakharkar
and others

Vs.

Bank of Maharashtra, thr. Authorized Officer, Wardha

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

Court's or Judge's orders

Shri Shamihs Agrawal, Advocate for petitioners

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

DATE : 04.03.2026

1. Heard Shri Shamish Agrawal, 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:

“a) *To issue suitable writs, orders or directions or any other appropriate Writ, directing the Respondent Bank to not to take physical possession of the property as per the Intimation (Annexure- C) for a period of 3 weeks or till the period of Appeal or any time frame that this Hon'ble Court may deem fit and proper, in the event if IA No. 262/2026 is rejected or any adverse order is passed and such Order be kept in abeyance, enabling the Petitioners to avail the remedy by filing and obtaining Order from Ld. DRAT, Mumbai as it is impossible for the Petitioners to approach Ld. DRAT, Mumbai in such short span of time.*

b) To issue suitable writs, orders or directions or any other appropriate Writ, directing the Respondent No. 1 Bank not to take Physical Possession of the Petitioners till the pendency of the Appeal & SA.

c) Grant any other relief which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

3. The contention is that the Debt Recovery Tribunal (DRT) is not deciding the Interim Application No. 262 of 2026 filed by the petitioners in S.A.No.171 of 2025 praying for stay against the Letter wherein possession is scheduled on 05.03.2026 and the matter is listed today i.e. 04.03.2026 before the DRT, Nagpur, but the Presiding Officer is on leave and matter is before Registrar, DRT, Nagpur.

4. Learned counsel for the petitioners submits that since the interim application will not be decided today i.e. on 04.03.2026, there will be no interim order staying the letter which is at record page No.37 (Annexure-C) issued by the respondent stating that they will be taking possession on 05.03.2026.

5. In view of above, issue notice to the respondents returnable on 22.04.2026.

6. In the meantime, the Debt Recovery Tribunal, Nagpur is directed to decide the Interim Application No. 262 of 2026 within two weeks from the date of production

of the order of this Court. If the aforesaid Interim Application is rejected or any adverse order is passed, such order be kept in abeyance for the period of 2 weeks thereafter to enable the petitioners to approach the Learned Debt Recovery Appellate Tribunal, Mumbai / Chennai to seek appropriate reliefs.

7. The respondent is also directed not to take physical possession of the properties of the petitioners as referred in Annexure -C (page No.37) until further orders.

8. Authenticated copy of this order be supplied to the counsel for the petitioners.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)