



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

WRIT PETITION NO. 2433 OF 2026

[Mrs. Pooja W/o Rakesh Gandhi **vs.** Bank of India, ARB, Nagpur Zone, Nagpur through its authorised Officer]

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

Court's or Judge's orders

Mr. P. A. Abhyankar, Advocate for the petitioner

CORAM : **ANIL L. PANSARE AND**
NIVEDITA P. MEHTA, JJ.

DATE : **24-03-2026.**

Heard.

The petitioner's grievance is that the Debt Recovery Tribunal (DRT), Nagpur, before whom the proceedings are pending in respect of property under question, is not taking up such matters for hearing.

The petitioner has approached DRT under Section 17 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 with application seeking to condone delay. She filed proceedings in October, 2025 and thereafter moved Interim Application (I.A.) on 6-3-2026 seeking stay to the auction scheduled on 25-3-2026.

Learned counsel for the petitioner submits that on 6-3-2026, the Presiding Officer was on leave. The I.A. was then to be listed on 18-3-2026, however, it did not. On 18-3-2026, the petitioner made a request

2

to take up the matter on board for urgent hearing. The petitioner's counsel was informed that the I.A. will not be taken on that day but will be taken on 23-3-2026. The grievance is that thereafter the junior counsel was made to put up a remark that the I.A. should be listed on 24-3-2026. It is accordingly listed today. The argument is that the petitioner is not getting fair opportunity to defend her property. Accordingly, request is made to make the auction proceedings subject to outcome of present petition.

Since we find that the I.A. is listed before DRT today for hearing, let the hearing be completed and decision taken. We will entertain the request of petitioner to make the outcome of auction subject to decision of this Court tomorrow depending on what transpires before the DRT today.

Issue notice, returnable on 25-3-2026.
Hamdast granted.

As such, counsel submits that advance copy was served upon the respondent with intimation that matter will be circulated today. None, however, appeared for the respondent.

(JUDGE)**(JUDGE)***wasnik*