



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

**WRIT PETITION NO.4046 OF 2026**

[M/s. Rajvardhan Ginning and Oil Factory .vs. Bank of Maharashtra  
and Others]

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

*Court's or Judge's order*

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Shri. Shakil V. Deshmukh, Advocate for Petitioner.

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

**DATE : 8<sup>th</sup> MAY, 2026.**

. Heard Shri. Shakil V. Deshmukh, learned counsel for petitioner.

2. The petitioner - borrower has approached this Court seeking challenge to the impugned possession notice dated 18.04.2026, which is at record page No.96 (Annexure – 7).

3. A perusal of the petition reveals that respondent No.1 - Bank has initiated securitisation proceedings against the petitioner under the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. Aggrieved by the same, the petitioner has already approached the learned Debt Recovery Tribunal, Nagpur, by filing Securitisation Application No.124 of 2024.

4. The aforesaid application is still pending before the learned DRT, Nagpur. The respondent No.1 – Bank, on 18.04.2026, issued a possession notice to the petitioner thereby intimating that the forceful physical possession will be taken on 12.05.2026. The petitioner immediately approached the learned DRT, Nagpur, on 30.04.2026 by filing I.A. No.1092 of 2026, thereby seeking interim stay to the effect and operation of the aforesaid possession notice dated 18.04.2026. The aforesaid interim application is at record page No.98 (Annexure – 8).

5. Shri. Shakil Deshmukh, learned counsel for petitioner, submits that though, the possession is scheduled to be taken on

12.05.2026, the learned DRT, Nagpur, has not yet decided the aforesaid interim application for grant of stay and has now posted the same on 11.05.2026. Even if, the learned DRT, Nagpur, decides the aforesaid application on 11.05.2026 and finally rejects the same, the petitioner will not be in a position to challenge the aforesaid rejection of stay before the learned DRT, Mumbai, as the possession is scheduled to be taken on 12.05.2026 and thus, the stay application of the petitioner will become infructuous.

6. In view of the above, issue notice to the respondents, returnable on 08.07.2026.

7. The petitioner is permitted to serve the respondents by private mode in addition to regular mode of service and file an affidavit of service by next date, failing which the petitioner shall deposit costs of Rs.500/- (Rupees Five Hundred) with "Public Welfare Account" maintained with Union Bank of India, High Court Branch, Civil Lines, Nagpur.

8. In the meanwhile, the learned DRT, Nagpur, is directed to decide the aforesaid I.A. No.1092 of 2026 in S. A. No.124 of 2024, within a stipulated period of two weeks from the date of order of this Court.

9. The respondent No.1 - Bank is directed not to act upon the notice dated 18.04.2026, which is at record page No.96 (Annexure - 7), till the decision of the learned DRT, Nagpur, in I. A. No.1092 of 2026.

10. If the aforesaid interim application is rejected by the learned DRT, Nagpur, the interim order granted by this Court shall continue to operate for a further period of 15 days from the date of such decision of the learned DRT, Nagpur, to enable the petitioner to challenge the same before the learned DRT, Mumbai.

**(RAJ D. WAKODE, J.)**

**(ANIL S. KILOR, J.)**