

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4723 OF 2026

WITH

WRIT PETITION NO. 4727 OF 2026

WITH

WRIT PETITION NO. 4753 OF 2026

Kalpana Suresh Ramchandani .. Petitioner

V/s.

Central Bank Of India and Ors .. Respondents

-----  
Mr. Vaibhav Bajpai with Swapan Samdani and Krati Sharma, for  
Petitioner in WP/4723/2026 and WP/4753/2026

Mr. Mayank Bagla with Swapan Samdani with Krati Sharma, for  
Petitioner in WP/4727/2026.

Mr. Sunil Kadam with Vikas Mulik, for Respondent No.1, Central Bank  
of India in all Petitions.

-----  
CORAM : MANISH PITALE &  
SHREERAM V. SHIRSAT, JJ.

DATE : 16TH APRIL 2026.

PC:

1. These three Writ Petitions have been filed effectively challenging orders passed by the Debts Recovery Tribunal, Mumbai (DRT) and the Debt Recovery Appellate Tribunal, Mumbai (DRAT) in proceedings wherein the Petitioner was not a party.
2. The DRT and the DRAT have passed orders in proceedings between Respondent No.1-Bank and Respondent Nos. 3 to 7.
3. The record shows that recovery certificates were issued by the

DRT against Respondent Nos. 2 and 3 on proceedings initiated by Respondent No.1-Bank. The order passed by the DRT was challenged by Respondent No.1- Bank in an appeal before the DRAT. The appeal was allowed and apart from Respondent Nos. 2 and 3, Respondent Nos. 4 to 7 were also held liable for recovery of the amounts due to Respondent No.1-Bank.

4. At the outset, learned counsel appearing for the Respondent No.1-Bank informs this Court that the orders passed by the DRAT were challenged at the behest of Respondent Nos. 4 to 7 before this Court. The challenge was repelled by dismissal of the Writ Petition and said order was confirmed by the Supreme Court in the challenge raised by the said Respondents.

5. None of these said orders have been filed along with the present Writ Petition. It is contended on behalf of the Petitioner that copies of the said orders were not available.

6. Learned counsel appearing for Respondent No.1-Bank relies upon judgment of this Court in the case of '**Hill Properties Limited Vs Union Bank of India**'<sup>1</sup> to contend that the only remedy available to the Petitioner would be approached the DRT under Section 19(25) of the Recovery of Debts due to the Banks and Financial Institutions Act 1993.

7. Prima facie, we are of the opinion that the present Writ Petitions may not be maintainable and that the Petitioner may have to exhaust the remedy as indicated in the aforementioned judgment of this Court.

8. Learned counsel for the Petitioners seeks a short adjournment to consider the aforementioned judgment and also to place on record

---

1 2009 SCC online Bom 669

further documents in support of the prayer made in the present Writ Petition.

9. List these Petitions in the same category of fresh matters on 23rd April 2026.

10. Learned counsel for the Petitioners in these Petitions may tender the documents on the next date of listing.

**(SHREERAM V. SHIRSAT, J.)**

**(MANISH PITALE, J.)**