

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3874 OF 2026
WITH
WRIT PETITION (ST.) NO.6534 OF 2026

PCL Oil and Solvents Limited through its Authorized
Representative Bharat Bhushan Handa ... Petitioner

Vs.

Deputy Collector, Daman and others ... Respondents

Mr. Mohit Choudhary a/w. Mr. Kunal Sachdeva and Ms. Sejal Patel i/b. Mr. Yash Vyas for Petitioner.

Dr. Sanjay Jain a/w. Mr. Harsh Dedhia for Respondent Nos.1 to 3 - State in WP/3875/2026 and for Respondent Nos.1 and 3 - State in WPST/6534/2026.

Mr. Ayman Khan i/b. Legal Prism for Respondent No.2 in WPST/6534/2026.

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

DATE : APRIL 22, 2026

P.C. :

. The petitioner has filed two petitions before this Court. In Writ Petition (St.) No.6534 of 2026, the petitioner has challenged the auction conducted by the respondent authority, claiming that there was violation of procedural requirements.

2. During the course of arguments, learned counsel appearing for respondent Nos.1 to 3 i.e. the authorities concerning the Union Territory of Daman and Diu brought to the notice of this Court that the petitioner has a statutory alternative remedy to raise its grievance under Section 147 of the Goa, Daman and Diu Land Revenue Code and the Rules framed thereunder.

3. In the face of the availability of the said alternative remedy, the

learned counsel for the petitioner, on instructions, seeks permission to withdraw Writ Petition (St.) No.6534 of 2026 to avail of the said alternative remedy.

4. In view of the above, Writ Petition (St.) No.6534 of 2026 is disposed of with liberty to the petitioner to avail of the said alternative remedy.

5. This Court has not expressed any opinion on the merits of the matter.

6. As regards the other petition i.e. Writ Petition No.3874 of 2026, the principal relief sought on behalf of the petitioner is for transfer of the surplus amount lying with the respondent authorities after payment of workers' dues in the light of the total amount received in the auction sale.

7. It is not disputed that the Union Bank of India, as a secured creditor, had initiated proceedings against the petitioner under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

8. The learned counsel appearing for the respondent authorities informs this Court that the said bank claimed charge over the surplus amount lying with the authorities. In this context, the learned counsel for the petitioner, on instructions, makes a statement that the dues of the said bank have been satisfied and that a no dues certificate can be placed on record.

9. We are of the opinion that in the face of the admitted position that the said bank had initiated certain proceedings against the petitioner, it would be appropriate that it is joined as a party respondent in this writ petition. The petitioner can also be granted an opportunity to file an

additional affidavit to place the 'no dues certificate' on record.

10. In view of the above, the petitioner is directed to add the Union Bank of India as party respondent No.4. The amendment be carried out forthwith.

11. Issue notice to the respondents, returnable on 06.07.2026, H.O.B.

12. Dr. Jain, learned counsel waives notice on behalf of respondent Nos.1 to 3.

13. Additionally, the petitioner shall serve the newly added respondent No.4 by way of private service and file an affidavit of service before the next date of listing.

14. The petitioner is permitted to file additional affidavit along with documents in support of its contention that 'no dues certificate' has been issued by the respondent No.4 Bank.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)

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