

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4943 OF 2026

State Bank of India

.. Petitioner

Versus

State of Maharashtra & Ors.

.. Respondents

.....

- Ms. Neeta Solanki a/w Mr. Jeetendra Mishra, Ms. Kiran Dubey, Mr. Ayush Jain & Mr. Rahul Prajapati, Advocates for Petitioner
- Mrs. V.S. Nimbalkar, AGP for Respondent Nos. 1 and 2
- Mr. Rohan Kelkar a/w Mr. Shashank Sardesai, Advocates for Respondent Nos. 3 and 4

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 15, 2026

P. C.:

1. Heard Ms. Solanki, learned Advocate for Petitioner; Mrs. Nimbalkar, learned AGP for Respondent Nos. 1 and 2 - State and Mr. Kelkar, learned Advocate for Respondent Nos. 3 and 4.

2. Mr. Kelkar, learned Advocate appearing for Respondent No. 3 and 4 - borrowers submit that borrowers have filed Writ Petition (L) No. 12994 of 2026 which was listed today before Justice Somasekhar Sundaresan with regard to the same cause of action. He would submit that order is passed therein directing the borrowers to deposit amount of Rs. 50,00,000/- and also file appropriate undertaking to that effect. He clarifies that undertaking is required to be given only by Respondent No. 3 who is the original partner of the Firm against

whom RERA certificate has been issued. He would submit that Court has recorded encumbrance of Petitioner Bank in the said order which has been passed today in Writ Petition (L) No. 12994 of 2026 and Interim Application (L) No. 13006 of 2026.

3. I am also informed by learned Advocates appearing for the parties that Court has also passed directions to proceed with the auction but not to confirm the same without leave of the Court. In that view of the matter, no purpose will be served to have a fresh parallel adjudication with regard to the same cause of action in the present Writ Petition. Parties shall proceed accordingly as per the order which has been passed today in Writ Petition (L) No. 12994 of 2026.

4. Reply, rejoinder if any shall be filed within a period of four weeks from today without recourse to the Court and pleadings will be completed.

5. Stand over to **9th June, 2026**.

6. Liberty to the parties to move the Hon'ble the Chief Justice for clubbing both the Writ Petitions together as requested by them.

[MILIND N. JADHAV, J.]

Amberkar

Digitally signed
by RAVINDRA
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AMBERKAR
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