



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8842 OF 2023

Edelweiss Asset Reconstruction
Company Ltd & Anr.

.. Petitioners

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr.Apoorva Kulkarni i/b M/s. V. Deshpande & Co.,
Advocates for the Petitioner.

Ms.N.M. Mehra, AGP for State.

CORAM : B. P. COLABAWALLA &
M.M. SATHAYE, JJ.

DATE : JULY 20, 2023

P. C.

1. The above Writ Petition is filed by the Petitioner-Bank *inter alia* seeking the relief that Respondent Nos. 2 and 3 be restrained from proceeding further in relation to the property which is mortgaged with the Petitioner-Bank more particularly described in **Exhibit-A** to the Petition. This relief is sought on the basis that under the provisions of the SARFAESI Act, 2002 the Petitioner-Bank has priority over the dues of Respondent Nos. 2 and 3.



2. The learned AGP appearing on behalf of Respondent Nos. 1 to 4 seeks time to file an affidavit-in-reply in the above Writ Petition.

3. Accordingly, the State Authorities are directed to file their affidavit-in-reply, if any, on or before 3rd August, 2023 and serve a copy of the same on the advocates for the Petitioner.

4. The Registry is directed to issue notice to Respondent Nos. 5 and 6 who is the Official Liquidator of Indage Vineyards Pvt Ltd and of Indage Vintners Ltd returnable on 10th August, 2023.

5. Place the above Writ Petition on board on 10th August, 2023.

6. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[M.M. SATHAYE, J.]

[B. P. COLABAWALLA, J.]