

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11618 OF 2025

Mariyam Rangwala and another ... Petitioners
Vs.
State of Maharashtra thr. Registrar CMM and others ... Respondents

Mr. Shadab Jan for Petitioners.

Ms. Pooja Joshi Deshpande, AGP for Respondent No.1-State.

Mr. Aayush Kothari a/w. Mr. Nikhil Rajani and Mr. Ajay Deshmane i/b. M/s. V. Deshpandne & Co. for Respondent No.2.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**
DATE : MARCH 18, 2026

P.C. :

. Having heard the learned counsel for the rival parties for some time, we are of the opinion that serious issues arise in this petition in the context of relegating either of the parties to seek remedies in accordance with law. It will have to be examined as to whether the petitioners, who are title holders of the property in question in pursuance of an auction sale conducted by the respondent No.3 bank as a secured creditor will have to be relegated under the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 to the Debt Recovery Tribunal or it would be for the respondent No.2 bank, which also claims to be a secured creditor to take recourse to proceedings in accordance with law against the respondent No.3 bank.

2. We find that in the light of competing claims made by the respondent Nos.2 and 3 banks, the petitioners are facing the heat and as on today, they have been thrown out of possession of the subject property, despite having registered documents of title in their favour

since the year 2017 and having been in possession of the property between 2017 and 2025.

3. The learned counsel for the parties shall keep ready notes of arguments along with supporting judgements to assist this Court on the next date of hearing.

4. List on 02.04.2026 at the bottom of the supplementary list.

5. The respondent No.2 bank is permitted to file its reply affidavit within a week from today.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)

Minal Parab