

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO. 129 of 2012
ARB/CASE/ARB/SVC/R/124/2009**

The Shamrao Vithhal Co-op. Bank Ltd. Applicants
Vs.
Apeksha Enterprises & Ors. Opponents

Mr. Jayant Gaikwad, Advocate for Applicants.

Mr. Siddharth Kaikini, Officer of the Applicants Bank present in person.

None present for Opponents.

Before : Mrs. Shonali K. Dighe
Commissioner for Taking Accounts
Date : 19th January, 2026

CALLED FOR REMOVAL U/R. 498 OF H.C.O.S. RULES :

- Sr.no.1
1. Today matter is listed under caption for Removal.
 2. By an order dated 8th July, 2025, the office was directed to issue notice to the Claimants and their Advocates under Rule 498 of the High Court (Original Side) Rules, 1980, by Registered Post Acknowledgment Due (RPAD), by e-mail, and to also communicate the same telephonically to ensure due compliance.
 3. Thereafter, the matter appeared on board under the caption for removal on 22nd July, 2025, 5th August, 2025, 30th September, 2025,

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6th October, 2025, 13th October, 2025, 4th November, 2025, 8th December, 2025, and 6th January, 2026. On all the aforesaid dates, the representative of the Applicant Bank was present in person and sought time on the ground of taking steps. At the relevant time, the Advocate appearing for the Applicant Bank submitted that he would be filing his Vakalatnama in the matter as the Applicant Bank had instructed him to appear, and therefore, time may be granted, and the matter adjourned for taking further steps.

4. It appears that in-spite of the time granted for taking steps by the Applicant Bank and the matter being adjourned from time to time, the Applicant Bank failed to take steps in furtherance of the order dated 8th July, 2025. In view thereof, I am inclined to grant a further date in the matter.

5. Today, the Ld. Advocate appearing on behalf of the Applicant Bank submits that he has filed his Vakalatnama and shall hereafter represent the Applicant Bank in the present matter. The Ld. Advocate seeks a short adjournment to enable him to take necessary steps in the matter. He further submits that he has recently received the relevant papers from the department and is now in a position to proceed with the matter.

6. At the request of the Ld. Advocate for the Applicant Bank, the matter is adjourned to 3rd February, 2026, as a last and final opportunity. It is made explicitly clear that no further adjournment shall be granted on any ground whatsoever. The Ld. Advocate is directed to file the Warrant for Sale and take all consequential steps on or before the next date of hearing. In the event of failure to comply with the above directions, the matter shall stand removed from the board without any further reference to this Court.

7. Stand Over to 3rd February, 2026.

19.01.2026

Commissioner for Taking Accounts