

HARSHADA H. SAWANT  
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION (L) NO.3713 OF 2026  
IN  
SUIT (L) NO.3712 OF 2026

Rajratan Babulal Agarwal .. Applicant  
**IN THE MATTER BETWEEN:**  
Rajratan Babulal Agarwal .. Plaintiff  
**Versus**  
Axis Bank Limited and Ors. .. Defendants

- .....
- Mr. Gaurav Joshi, Senior Advocate a/w. Mr. Ranjeev Carvalho, Mr. Aadil Parsurampurua, Mr. Tejas Agarwal, Mr. Rishabh Murali and Ms. Tejaswi Pania, Advocates i/by IC Legal for Applicant / Plaintiff.
  - Mr. Rajendra Shinde a/w. Mr. Anet Johnson, Advocates i/by Svarniti & Associates for Defendant No.1.
- .....

**CORAM : MILIND N. JADHAV, J.**

**DATE : FEBRUARY 11, 2026**

**P.C.:**

- 1.** Heard Mr. Joshi, learned Senior Advocate for Applicant / Plaintiff and Mr. Shinde, learned Advocate for Defendant No.1.
- 2.** Interim Application is mentioned by Mr. Joshi, learned Senior Advocate for Plaintiff seeking urgent intervention of Court in view of apprehension by Plaintiff of any further steps being taken by Defendant - Bank pursuant to classification of Plaintiff as wilful defaulter. He has narrated the facts in the present case which relate back to 15 years ago in respect of Mutation Entry of the said property which was challenged by some third party concerned with respect to the said property which was mortgaged to the Bank and this act has

been held against Plaintiff for declaring him as wilful defaulter.

**3.** Copy of Interim Application and Suit Plaintiff shall be served upon Mr. Shinde, learned Advocate for Defendant No.1 – Bank who enters appearance on due notice given to him by Advocate for Plaintiff. He would submit that the papers and proceedings were received by him only yesterday from the Bank and he needs time to take instructions and file appropriate reply. Considering the facts which are borne out from the Interim Application and Suit plaintiff, Defendant No.1 – Bank shall go through the same and accordingly file an appropriate Affidavit-in-Reply to the Interim Application to answer the grounds pleaded by Plaintiff.

**4.** Needless to state that if Defendant No.1 - Bank proposes to take any steps in furtherance of the impugned declaration dated 19.01.2026, it shall obtain leave of the Court first.

**5.** Affidavit-in-Reply, is directed to be filed within a period of four weeks from today. Leave to file Affidavit-in-Rejoinder, if any, be filed within two weeks thereafter.

**6.** Stand over to **1<sup>st</sup> April, 2026**. To be placed under the caption '**For Directions**'.