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

INTERIM APPLICATION (L) NO. 3951 OF 2026
IN
COMMERCIAL SUIT (L) NO. 2142 OF 2026

M/s. Genuine Agro Spices and Ors.

Applicants /
.. Plaintiffs

Versus

The Board of Directors of Bank of Maharashtra
and Ors.

.. Defendants

-
- Mr. Mathews Nedumpara a/w. Ms. Hemali Kurne and Ms. Shridevi B, Advocates for Applicants / Plaintiffs.
 - Mr. Nitesh Agarwal a/w. Mr. Sachin Patil and Ms. Nameeta Malvankar, Advocates for Defendant Nos.1 to 3 – Bank of Maharashtra.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 01, 2026.

P.C.:

1. Heard Mr. Nedumpara, learned Advocate for Applicants / Plaintiffs and Mr. Agarwal, learned Advocate for Defendant Nos.1 to 3 – Bank of Maharashtra.

2. The Suit is filed by M/s. Genuine Agro Spices through its Managing Partner which is based in District Ernakulam, State of Kerala. The jurisdiction clause is paragraph No.44 wherein it is stated that Reserve Bank of India being regulator all banks in India has its headquarter situated in Mumbai, the jurisdiction to file the present Suit proceeding in this Court has arisen. The Suit seeks

implementation and effect of Government of India's Notification dated 29.05.2015 which is popularly known as 'MSME Notification'.

3. In so far as the next submission of Mr. Nedumpara is concerned, he would submit that Defendant Nos.1, 2 and 3 are the Bank of Maharashtra. They are the recovery Bank. He would submit that since Bank of Maharashtra has its head office in Pune, the Suit will be maintainable in this Court.

4. *Prima facie* and *per contra*, Mr. Agarwal, learned Advocate enters appearance on behalf of Defendant Nos.1 to 3 which is the Bank of Maharashtra and its functionaries. He would submit that the Bank be permitted to file an appropriate Affidavit-in-Reply on maintainability as also other issues on merits.

5. In that view of the matter, since the Bank of Maharashtra would be filing its Affidavit-in-Reply, notice is issued to unrepresented Respondents / Defendants.

6. Mr. Agarwal, learned Advocate waives service on behalf of Defendant Nos.1 to 3.

7. In view of the above, issue notice to Defendant Nos.4 to 9. Humdast permitted.

8. In addition to Court notice, Plaintiffs are permitted to serve copy of Interim Application, Suit and this order on Defendant Nos.4 to

9 and inform them about the next date of hearing by any permissible mode of service and file appropriate Affidavit of service with tangible proof thereof on or before the next date.

9. After receiving notice, Defendant Nos.4 to 9 are directed to take cognizance of this order and file their comprehensive Affidavit-in-Reply to the Interim Application and Suit proceeding in accordance with law within three weeks from today. Mr. Agarwal is also permitted to file his Affidavit-in-Reply, if any, within a period of three weeks from today. Copy of the same shall be served on the other side in advance. Rejoinder, if any, is permitted to be filed within one week thereafter.

10. Plaintiff's Advocate shall forthwith serve a copy of this order and the proceedings on the other unrepresented Defendants.

11. Parties are directed to address the Court on maintainability on the next date.

12. Stand over to **29th April 2026**.

[MILIND N. JADHAV, J.]

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