

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.14903 OF 2026

AU Small Finance Bank Limited ... Petitioner
Vs.
Union of India and others ... Respondents

Mr. Sanjay Anabhawane i/b. Ms. Medha Rane for Petitioner.

**CORAM : MANISH PITALE &
FARHAN P. DUBASH, JJ.
DATE : MAY 07, 2026**

P.C. :

- . Heard learned counsel for the petitioner bank (secured creditor).
2. The petitioner is aggrieved by order dated 23.02.2026 passed by the Debts Recovery Tribunal-II, Mumbai (DRT-II) in Interim Application No.2711 of 2025 in pending Securitisation Application No.31 of 2026. It is submitted that interim order is granted without any discussion or reasoning, as a consequence of which, the petitioner bank is restrained from proceeding with handing over possession of the secured asset to the auction purchaser due to which registration of the sale certificate is also held up.
3. It is further submitted that the interim application is now listed for hearing on 21.05.2026. This Court is informed that reply affidavit on behalf of the petitioner bank is also filed in the said application.
4. A perusal of the impugned order shows that there is absolutely no discussion as to what impressed the DRT in directing that the petitioner bank shall not proceed further in respect of auction proceedings. Even if an ad-interim order was to be granted, DRT II was expected to consider

granting such an order on the well-known parameters for granting interim relief i.e. *prima facie* case, balance of convenience and irreparable loss in the absence of an interim order. Evidently, there is no such discussion in the impugned order and on this ground itself, the order deserves to be set aside.

5. In view of the above, issue notice for final disposal at admission stage, returnable on 11.06.2026, High on Board.

6. Since the interim application is now listed for hearing on 21.05.2026, we direct DRT-II, Mumbai, to take up the said application for consideration in urgent category and to dispose of the same on the said date itself.

7. Additionally, the petitioners are permitted to serve the respondents by way of private service and to file an affidavit of service before the next date of listing.

(FARHAN P. DUBASH, J.)

(MANISH PITALE, J.)

Minal Parab