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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL APPELLATE DIVISION***

***COMMERCIAL APPEAL (LODGING) NO.14725 OF 2026
IN
COMMERCIAL EXECUTION APPLICATION NO.43 OF 2025
WITH
INTERIM APPLICATION (LODGING) NO.15662 OF 2026
IN
COMMERCIAL APPEAL (LODGING) NO.14725 OF 2026
WITH
COMMERCIAL APPEAL (LODGING) NO.15441 OF 2026
IN
COMMERCIAL EXECUTION APPLICATION NO.44 OF 2025
WITH
INTERIM APPLICATION (LODGING) NO.15725 OF 2026
IN
COMMERCIAL APPEAL (LODGING) NO.15441 OF 2026***

Reliance Asset Reconstruction Company Limited ...Appellant/
Applicant
(Original Decree
Holder/Plaintiff)

Versus

Hiroo Hotchand Advani and Anr. ...Respondents
(Original Judgment
Debtor)

Mr. Ashish Kamat, Senior Counsel with Mr. Abhishek Kothari,
Mr. Vinay Deshpande, Mr. Nikhil Rajani, Mr. Ajay Deshmane i/b V.
Deshpande and Co., for the Appellant/Applicant.

Mr. Akshay Patil with Mr. Joshua D'souza, Mr. Asif Lampwala, Mr. Saad Memon and Mr. Hriday Karia i/b Mr. Chirag Sancheti for the Respondent.

**CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.**

DATE : 7th MAY 2026

P.C. :

1. A preliminary objection is raised by learned senior counsel Mr. Kamat representing the appellant about the maintainability of the Appeals and he would place reliance on the decision of the Division Bench of this Court in the case of *Usha Kakade vs Vistra ITCL (India) Ltd., and Others*¹. The learned senior counsel Mr. Kamat would however place reliance upon the decision of the Apex Court in the case of *MITC Rolling Mills Private Limited and Another vs Renuka Realtors and Others*² as well as the view adopted by us in the case *Vishal Prafulsingh Solanke and Another vs Controller of Patent and Designs and Others*³.

1 Commercial Appeal No.542 of 2019 and other connected appeals, decided on 14.12.2024

2 2025 SCC OnLine SC 2375

3 Commercial Appeal (Lodging) No.13430 of 2025 , decided on 09.03.2026

2. By consent of the respective counsel, we deem it appropriate to adjourn the Appeals for consideration of the preliminary objection on 16th June 2026.

MANJUSHA DESHPANDE, J.

BHARATI DANGRE, J.