

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO. 1332 OF 2014
IN
ARBITRATION CASE NO. ARB/ACB/17/2011**

Abhuadaya Co. Op. Bank Ltd.Disputants
v/s.
M/s. Daya Builders and Ors. Opponents

Ms. Fleur D'Souza i/b Asahi Legal, Advocate for Disputant.
Mr. Amit Dubey a/w Apurva Jaiswar i/b. K. C. Pandey, Advocate for
Opponents.

Before : Mrs. Shonali K. Dighe
Commissioner for Taking Accounts
Date : 27th January, 2026

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

- Sr. no.1
1. Heard Advocate appearing on behalf of Disputant as well as Advocate for Opponents.
 2. The Applicant is directed to verify and place on record the current status of the subject property, including its possession. Advocate for Respondent to produce all relevant orders passed by the DRT and DRAT in respect of the said property.
 3. In reference to the Order dated 20th December, 2019, the Ld. Advocate for the Applicant shall verify and clarify whether the Bank has already auctioned the subject property, of which possession has already been taken by the Bank, and shall place the said information on record. 2

4. Ld. Advocate for the Respondent submits that a stay has already been granted by the DRT vide order dated 28th November, 2025 in the execution proceedings. It is further submitted that vide order dated 23rd December, 2025 passed in Miscellaneous Application No. 202 of 2025 by the DRAT, the interim relief granted in Interim Application No. 2354 of 2025 has been continued and shall remain in force till its disposal, subject to further orders.

5. It appears that Advocate for Applicant has already collected Duplicate of Warrant for Sale for its amendment whereas it is not filed on record after its amendment. In view thereof, Advocate for Applicant is directed to file an amended Duplicate of Warrant for Sale in accordance with law.

6. The Ld. Advocate for the Applicant is further directed to serve the copy of amended Warrant upon the Respondent, and the Respondent shall file a reply, if any, thereto.

7. The matter is adjourned to 23rd February, 2026. Office is directed to list the matter under caption "for Directions". It is made clear that, if, Advocate for Applicant failed to comply with the directions issued herein above matter will be removed from board without further reference and/or notice.