



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.2110 OF 2026

Vaishali Rahul Gondhane and Others

Vs.

Central Bank of India, Through its Chief Manager/Authorised Officer,
Nagpur and Others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. R.D. Dhande, Advocate for the Petitioners.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATED : 10th MARCH, 2026

1. Heard learned counsel for the petitioners.
2. Learned counsel for the petitioners has requested urgent circulation of this matter. Considering the urgency of the petition, the same is taken up for consideration.
3. Petitioners' challenge is to the order passed by the Authorities under the SARFAESI Act and the consequent notice dated 25.02.2026 issued by the Authorized Officer for attachment of property by taking physical possession of petitioners' property today itself (i.e. 10.03.2026).
4. Learned counsel for the petitioners submits that the respondent No.1-Bank has initiated proceedings under the SARFAESI Act, beyond the period of limitation and in view of the purport of provisions of Section 36 of the SARFAESI Act, the entire action initiated by the respondent No.1-Bank and the impugned notice are unsustainable in law. He further submits that the proceedings have been

initiated against only two legal heirs of the deceased Sudha Avdhut Patil and without issuance of any notice to petitioner No.1 who is the daughter of deceased Sudha Avdhut Patil, the proceedings are initiated and the possession of the petitioners' dwelling house is likely to be taken by today itself. In view of above, he prayed for ad-interim relief to protect the possession of the dwelling house.

5. Considering the controversy involved and the contentions canvassed a prima-facie case is made out by the petitioner.

6. In view of this, issue notice to the respondents, returnable on **17.03.2026**.

7. Petitioner is permitted to serve the respondent by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

8. In the meantime, further action by respondent No.1-Bank to take physical possession of the petitioners' property shall remain stayed.

9. All concerned shall act on the authenticated copy of this order.

(PRAFULLA S. KHUBALKAR, J.)

Privel