



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

WRIT PETITION NO.4626 OF 2026

[Abhilasha Praful Chandrikapure and Others .vs. Union of India and Others]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri. J. M. Gandhi, Advocate for Petitioners.

CORAM : ANIL S. KILOR AND
RAJ D. WAKODE, JJ.

DATE : 15th JUNE, 2026.

. Heard Shri. J. M. Gandhi, learned counsel for the petitioners.

2. The petitioners – borrowers have approached this Court seeking challenge to the possession notice dated 03.06.2026.

3. As per the aforesaid possession notice, respondent No.3 - Bank will be taking possession of the secured assets on 18.06.2026 at 11:00 a.m. Shri. Gandhi, learned counsel for the petitioners, submits that the petitioners have already approached the learned Debts Recovery Tribunal, Nagpur, by filing Securitization Application No.58 of 2026. The aforesaid securitization application is pending before the learned D.R.T., Nagpur.

4. A perusal of the order dated 04.03.2026, which is at record page No.55 (Annexure - 3) reveals that the learned D.R.T., Nagpur, had permitted the petitioners to settle the loan account under One Time Settlement (O.T.S.), as per the Government of Maharashtra Scheme of Settlement.

5. Shri. Gandhi, learned counsel for the petitioners, submits that the petitioners have already submitted a One Time Settlement (OTS) proposal and accordingly, I.A. for such relief is pending

before the learned Debts Recovery Tribunal, Nagpur. However, during the pendency of the said OTS proposal, respondent No.3 - Bank has issued the impugned possession notice dated 03.06.2026, which is at record page No.79 (Annexure-10). He further submits that after receipt of such possession notice, the petitioners immediately approached the learned D.R.T., Nagpur, by filing I.A. No.1433 of 2026 praying for grant of stay to such possession. The aforesaid application is not yet decided by the learned D.R.T., Nagpur, and accordingly, the petitioners have approached this Court.

6. In view of the above, issue notice to the respondents, returnable on 14.07.2026.

7 Shri. Kartik N. Shukul, learned D.S.G.I. instructed by Shri. R. Tiwari, learned counsel, waives notice on behalf of respondent No.1 - Union of India and Shri. S. M. Ukey, learned Additional Government Pleader, waives notice on behalf of respondent No.2/State.

8. The petitioners are permitted to serve respondent Nos.3 and 4 by private mode in addition to regular mode of service and file an affidavit of service by next date, failing which the petitioners shall deposit costs of Rs.500/- (Rupees Five Hundred) in "Public Welfare Account" maintained with Union Bank of India, Branch High Court, Civil Lines, Nagpur.

9. In the meanwhile, the learned D.R.T., Nagpur, is directed to decide the interim application of the petitioners pertaining to the OTS Settlement and more specifically, in view of the Government Resolution dated 24.06.2025, which is at record page No.59 (Annexure – 5), within a stipulated period of two weeks from the date of production of the order of this Court.

10. Similarly, the learned D.R.T., Nagpur, is directed to decide the I.A. No.1433 of 2026, for grant of stay to the impugned possession notice dated 03.06.2026, within a period of two weeks from the date of production of the order of this Court.

11. During pendency of the aforesaid application, respondent No.3 - Bank is directed not to act upon such possession notice dated 03.06.2026, till the decision of the learned D.R.T., Nagpur, in the aforesaid I.A. Further, if the aforesaid I.A. for stay is decided adversely to the petitioners by the learned D.R.T., Nagpur, then the interim order granted by this Court shall continue to operate for a further period of 15 days from the date of such decision in order to enable the petitioners to avail of the statutory remedy of appeal before the learned Debts Recovery Appellate Tribunal, Mumbai, and seek appropriate relief therein.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)