



N THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 4727 OF 2026

Sanket Vasanta Zade & Anr.

Vs.

Canara Bank, thr. Authorized Officer, Nagpur

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

Court's or Judge's order

Mr. Shamish Agrawal, Advocate for the Petitioners.

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

DATE : 19.06.2026

Heard Mr. Shamish Agrawal, learned counsel for the petitioners.

2. The petitioners have approached this Court seeking directions in the nature of various prayer clauses; which include following prayers :

“a) To issue suitable writs, orders or directions or any other appropriate Writ, directing the Respondent Bank to not to conduct Auction of the property as per the Sale Notice dt. (Annexure - C) for a period of 2 weeks or till the period of Appeal or any time frame that this Hon'ble Court may deem fit and proper, in the event if IA No. 1359/2026 is rejected or any adverse order is passed and such Order be kept in abeyance, enabling the Petitioners to avail the remedy by filing and obtaining Order from Ld. DRAT, Mumbai as it is impossible for the Petitioners to approach Ld. DRAT, Mumbai in such short span of time.

b) To issue suitable writs, orders or directions or any other appropriate Writ, directing the Respondent Bank to not to conduct the said Auction & maintain Status-Quo till the pendency of the SA.”

3. The contention is that the Debt Recovery Tribunal (DRT) is not deciding the Interim Application No. 1359 of 2026 filed by the petitioners in S.A. (Diary) No. 371 of 2026 praying for stay against the Auction Sale Notice wherein Auction is scheduled on 20.06.2026 and the matter is listed today i.e. 19.06.2026 before the DRT, Nagpur.

4. Learned counsel for the petitioners submits that since the interim application is not decided so far and if the same is decided today i.e. on 19.06.2026 and in case it is rejected or any adverse order is passed, he will not have time to challenge the said Order in Appeal before DRAT, Mumbai for seeking protection. Hence, the learned counsel submits that there is no time to approach DRAT, Mumbai challenging the aforesaid order as the Notice dated 01.06.2026 at Annexure-C (record page Nos.31 to 35) issued by the respondent states that they will be conducting Auction and Sale on 20.06.2026.

5. In view of above, issue notice to the respondents, returnable on 30.07.2026.

6. In the meantime, the Debt Recovery Tribunal, Nagpur is directed to decide the Interim Application No. 1359 of 2026 within two weeks from the date of production of the order of this Court. If the aforesaid Interim Application is rejected or any adverse order is passed, such order be kept in abeyance for the period of 2 weeks thereafter to enable the petitioners to approach the learned Debt Recovery Appellate Tribunal, Mumbai / Chennai to seek appropriate reliefs.

7. The respondent is also directed not to conduct Auction and Sale of the property as mentioned in the Notice dated 01.06.2026 (Annexure-C) till the Interim Application No. 1359 of 2026 is decided by DRT, Nagpur.

8. Authenticated copy of this order be supplied to the counsel for the petitioners.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)

Vijaykumar