

ITEM NO.24

COURT NO.16

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C)Nos.15650-15651/2026

[Arising out of impugned judgment and orders dated 27-03-2026 in WP No. 3976/2026 & 18-04-2026 in WP No. 3976/2026 passed by the High Court of Judicature at Bombay]

SUREKHA CHITRASEN GULAVE & ORS.

Petitioner(s)

VERSUS

APNA SAHAKARI BANK LIMITED & ORS.

Respondent(s)

IA No. 133422/2026 - EXEMPTION FROM FILING C/C OF I/JUDGMENT, IA No. 134174/2026 - PERMISSION TO FILE ADDL.DOC./FACTS/ANNEXURES

Date : 04-05-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Nikhil Goel, Sr. Adv.
Mr. Amit Pai, Adv.
Ms. Bhavana Duhoon, AOR
Ms. Pankhuri Bhardwaj, Adv.
Mr. Tathagatha Dutta, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Heard Mr. Nikhil Goel, learned Senior counsel for the petitioners.
2. Mr. Goel, learned Senior counsel for the petitioners draws attention of the Court to the order dated 17.03.2026 at page 220 (pdf 248) of the Debts Recovery Tribunal, Pune (for short, 'DRT'), which directed as follows:-

"XXXXX

(i) The application is allowed.

(ii) The defendant bank shall lodge the applicants in the suit property on or before 31.03.2026 for managing/running Hospitality Establishment/ Resort therein for a period of Six Months.

(iii) The applicants shall deposit Rs.2,50,000/- (Rupees Tweaks Fifty Thousand only) per day with the defendant bank for Six Months from 01.04.2026 towards repayment of loan.

In default of deposit of the said amount for Two Consecutive weeks, the applicants shall surrender vacant possession of the suit property to the defendant bank immediately.

(iv) The applicants shall not create third party interest in any mode in respect of the suit property during the period of Management.

(v) The applicants shall settle the loan accounts within a period of Six Months from 01.04.2026.

In default, they shall surrender vacant possession of the suit property to the defendant bank immediately.

In default, the defendant bank is entitled to take the possession of the suit property with Police assistance.

Application is disposed of."

3. This order was challenged by the respondent(s)-Bank by way of a writ petition/petition. An interim order has come to be passed.

4. To show *bona fide*, learned Senior Counsel for the petitioners submits that his client(s) will deposit a sum of Rupees five crores in the Registry of this Court, in the staggered manner as per the following schedule:-

"1. Rupees two crores will be deposited by 08.05.2026;

2. Another amount of Rupees Two crores will be deposited by 18.05.2026;

3 The third set of Rupees one crore will be deposited by 25.05.2026."

5. Learned Senior counsel for the petitioners submits that considering that it is a water park and the business can be availed only during this month since monsoon will set in June, the order as made by the DRT, directing the petitioners to use the park on a daily payment by Rs.2,50,000/- would be beneficial to the Bank.

6. Liberty to serve the Bank by dasti as well as by email and also through the counsel who appeared in the High Court.

7. The respondent(s)-Bank to take instructions on the above aspect.

8. Upon depositing, the sum shall be invested in a short term FDR in a Nationalized Bank on an auto renewal basis.

9. List tomorrow i.e. on 05.05.2026 at 2.00PM.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)