

ITEM NO.36

COURT NO.14

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) No(s). 21313/2026

[Arising out of impugned judgment and order dated 13-03-2026 in WP No. 3374/2026 passed by the High Court of Judicature at Bombay]

SHEKHAR RAJKUMAR GUPTA & ORS.

Petitioner(s)

VERSUS

GODREJ FINANCE LIMITED

Respondent(s)

[ONLY IA NO. 184404/2026 IS LISTED UNDER THIS ITEM]
IA No. 184404/2026 - APPLICATION FOR VACATION OF INTERIM ORDER

Date : 15-07-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE ARUN PALLI

For Petitioner(s) Ms. Eshna Kumar, Adv. (through VC)
Ms. Astha Agarwal, Adv.
Ms. Kruti Bhavsar, Adv.
Mr. Anand Dilip Landge, AOR

For Respondent(s) Mr. Sunil Fernandes, Sr. Adv. (through VC)
Mr. Abhinav Hansaria, AOR
Mr. Archit Virmani, Adv.

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

1. Heard learned counsel for the parties.
2. The present petition calls in question the correctness of the order dated 13-03-2026 in Writ Petition No. 3374/2026 passed by the High Court of Judicature at Bombay. By the said order, the High Court, by an interim arrangement, stayed the operation of the order dated 09.03.2026 made by the Debts Recovery Tribunal, Pune (for short, 'DRT') in IA No.785/2026

in SA No.648/2025.

2. The DRT had, by its order of 09.03.2026, in IA No.785/2026 in SA No.648/2025 directed the respondent- *Godrej Finance Limited* to restore the possession of the suit flat/property to the petitioners herein on or before 14.03.2026. Certain other directions were also made.

3. The net result of the impugned order was the direction to hand over the possession stood stayed.

4. The petitioners approached this Court. This Court, during the Partial Court Working Days on 18.06.2026, while issuing notice on the Special Leave Petition, stayed the operation of the order (impugned herein) of the High Court dated 13.03.2026 with an express stipulation that consequently, the order of DRT dated 09.03.2026 would stand revived. The said order reads as under:-

1. We have heard learned counsel for the petitioners.

2. Issue notice, returnable on 04.08.2026.

3. In the meanwhile, there shall be stay of the impugned order dated 13.03.2026 passed by the High Court of Bombay in Writ Petition No.3374 of 2026, meaning thereby that the order dated 09.03.2026 passed by the Debts Recovery Tribunal, Pune in I.A. No.785 of 2026 in S.A. No.648 of 2025, would stand revived."

5. Today, learned counsel for the respondent has come up with an application to vacate the said interim order of 18.06.2026 (IA No. 184404/2026).

6. We have heard Mr. Sunil Fernandes, learned Senior

Counsel for the respondent and Ms. Eshna Kumar, learned counsel for the petitioners.

7. The situation today is that the main writ petition is pending in the High Court. This Court has worked out an interim arrangement by the order of 18.06.2026 which has been set out hereinabove.

8. We are of the opinion that interest of justice would be served, if the order dated 18.06.2026 made by this Court is confirmed and is directed to operate till the disposal of the writ petition No.3374/2026 by the High Court.

9. Ordered accordingly.

10. Consequently, on or before 22nd July, 2026, the respondent- *Godrej Finance Limited* shall hand over possession of the premises in question to the petitioners. We further direct that pending disposal of the writ petition by the High Court, the petitioners shall not create any third party rights in the property in question or create encumbrances in any manner whatsoever on the property in question.

11. We are told that the writ petition is listed for hearing on 31.07.2026 before the High Court. We request the High Court to make an endeavour to dispose of the said writ petition itself on that date or on such other earlier date as the High Court may deem fit.

12. With the above observations, the Special Leave Petition is disposed of.

13. Pending application(s), if any shall also stand disposed of.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)