

ITEM NO.35

COURT NO.14

SECTION XI-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 22328/2026

[Arising out of impugned judgment and order dated 16-01-2026 in WA No. 108/2026 passed by the High Court of Kerala at Ernakulam]

ABHIJITH B.

Petitioner(s)

VERSUS

BANK OF MAHARASHTRA & ORS.

Respondent(s)

IA No. 170404/2026 - CONDONATION OF DELAY IN REFILING / CURING THE DEFECTS, IA No. 170403/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 170401/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 170402/2026 - PERMISSION TO PLACE ADDITIONAL FACTS AND GROUNDS

Date : 31-07-2026 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) Mr. Rohan Thawani, Adv.
 Mr. Peer Mohammed, Adv.
 Mr. V. Shyamohan, Adv.
 Mr. Udai V.s Rathore, Adv.
 Ms. Sradhaxna Mudrika, Adv.
 Ms. Anshika Bajpai, Adv.
 Ms. Vrinda Goel, Adv.
 M/S. Kmnp Law Aor, AOR

For Respondent(s)

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

1. Delay condoned.
2. Heard Mr. Rohan Thawani, learned counsel for the petitioner(s). Learned counsel has a limited grievance. Learned counsel submits that having relegated the petitioner to the hierarchical remedies under the statute, the observations in the order of learned Single Judge and Division Bench of the

High Court should not come in the way of the *fora* under the act deciding the matter independently.

3. While not interfering with the impugned order, we direct that the proceedings before the Debts Recovery Tribunal, Ernakulam, Kerala (for short, 'DRT') shall be decided uninfluenced by the observations made by the learned Single Judge and the Division Bench of the High Court, as well as in this order. The DRT shall decide the matter on its own merits, in accordance with law.

4. With these observations, the Special Leave Petition is disposed of.

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

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)