



934 CP-250-2026

1

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

CONTEMPT PETITION NO.250 OF 2026

IN

WRIT PETITION NO.6912 OF 2025

[Smt. Pushpa Pradiprao Deshmukh .vs. Mr. Pankaj Kumar, Presiding
Officer, Debt Recovery Tribunal, Nagpur]

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

Court's or Judge's order

Shri. Yash R. Bhumare, Advocate for Petitioner.
Respondent-in-person Shri. Pankaj Kumar.

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

DATE : 6th AUGUST, 2026.

. This Court, on 20.07.2026, had passed a detailed order recording how this Court was, *prima facie*, convinced that the contemnor had committed willful and deliberate disobedience of the order passed by this Court. After recording the reasons, this Court had directed the Registry of this Court to issue notice to the respondent in Form I under Chapter XXXIV of the Bombay High Court Appellate Side Rules, 1960, and made it returnable today, i.e. 06.08.2026, wherein the respondent was directed to remain personally present before this Court at 10:30 a.m.

2. In pursuance of the aforesaid notice, respondent - Shri. Pankaj Kumar, Presiding Officer, Debt Recovery Tribunal, Nagpur, is present. However, considering the fact that the respondent is a Senior Judicial Officer and is working as the Presiding Officer of Debt Recovery Tribunal, Nagpur, we thought it fit not to hear this matter in open Court in the presence of lawyers and heard the present matter in Chamber,

when it was called out. However, in Chamber, when we heard the respondent, we were shocked to observe that the respondent lacks even basic knowledge of legal jurisprudence.

3. After interacting with respondent, we find that he is not at all aware as to what is the essence of a Presiding Officer of a judicial or quasi-judicial Tribunal. We also found him to be biased against borrowers. According to him, since the borrowers did not pay the amounts due to the Bank, they did not deserve any relief. It is further stated that the borrowers approached the Tribunal by filing interlocutory applications at the last minute, and therefore, such applications cannot be decided.

4. We have been recording such conduct of the respondent, more specifically the manner in which such applications are kept pending and finally, the borrowers have to approach this Court at the last minute, even on the day of possession or on the last but one day before possession, to seek protection from this Court. In Writ Petition No.113 of 2026, we have passed an order on 22.07.2026, wherein we have specifically recorded that the present respondent does not know even the basic concepts of legal proceedings. For the reasons stated therein, we had issued certain directions which read thus :

“3. However, at this stage, suffice it to say that, on our request, Shri Kartik Shukul, learned Deputy Solicitor General of India, had already communicated the conduct of the said Presiding Officer, which, according to us, is detrimental to the interests of the borrowers as well as the secured creditors, by writing numerous letters to the Under Secretary (DRT), Department of Financial Services, Ministry of Finance, New Delhi. The first communication dates back to 2nd March, 2026 and thereafter continuously such communications are made by the learned Deputy Solicitor General of India, whereupon it appears that no

cognizance has been taken thereof, and even an extension was granted to the said Presiding Officer.

4. The Registry is directed to once again forward all these communications to the Under Secretary (DRT), Department of Financial Services, Ministry of Finance, New Delhi, through e-mail.

5. On receipt of such communications, the Under Secretary (DRT), Department of Financial Services, Ministry of Finance, New Delhi, shall file an affidavit setting out the steps that the Department of Financial Services has taken in the matter after taking note of the instances and behavioural aspects of Shri Pankaj Kumar, Presiding Officer, Debts Recovery Tribunal, Nagpur.”

5. We are completely aware that, in most of the proceedings, the interlocutory application is filed by the borrowers in the pending securitization application at least one month before the scheduled date of possession. However, the respondent continuously keeps adjourning the matter from day to day till the last day of possession and still does not decide the I.A. In such a backdrop, the respondent was not at all justified in raising such an explanation before this Court.

6. So far as the present contempt petition is concerned, in the original Writ Petition No.6912 of 2025, after taking note of the statutory period of 60 days provided to the learned Debt Recovery Tribunal for deciding the securitization application, and in view of the fact that the proceedings were pending for a long time, we had directed the Debt Recovery Tribunal to decide the securitization application within a period of six months from 14.11.2025. The aforesaid period of six months was to expire on 14.05.2026, whereas when the Securitization Application No.194 of 2024 was listed before the respondent on 24.03.2026, the respondent adjourned the matter and granted the next date after seven months, i.e. 21.10.2026.

7. Because of such conduct of respondent, we had directly issued notice in Form I under Chapter XXXIV of the Bombay High Court Appellate Side Rules, 1960. When the respondent was inquired about granting a date after seven months despite our direction to decide the securitization application within six months from November, 2025, his response was that the parties had not appeared before him and how he can decide the securitization application in the absence of the parties, ex parte.

8. When we perused the Roznama of the aforesaid proceedings, the order dated 24.03.2026 reveals that the respondent has recorded under his signature that the learned counsel for both sides are present. The matter is adjourned for the purpose already fixed and has adjourned the matter to 21.10.2026. Thus, in our opinion, the respondent not only lacks judicial knowledge but has also tendered an incorrect and false explanation before this Court, especially when he is standing before this Court in contempt.

9. The approach of respondent in granting a date on 24.03.2026 after seven months in proceedings wherein this Court had already directed him to decide the same within a period of six months, when more than four months had already lapsed, indicates that the present respondent is not suitable for adorning the post of Presiding Officer of Debt Recovery Tribunal. Time and again, we have granted him sufficient time to improve his conduct. However, after hearing him personally in Chamber and interacting with him, we are completely satisfied that he does not deserve to continue as the Presiding

Officer, Debt Recovery Tribunal, Nagpur, even for a single day. We have also realized that holding him guilty and punishing him for contempt will not resolve the issue. Accordingly, we dispose of the present contempt petition with a recommendation to the Union of India to remove Shri. Pankaj Kumar from the post of Presiding Officer, Debt Recovery Tribunal, Nagpur, with immediate effect. If, for any reason, it is not possible for the Union of India to do so, we hereby recommend to the Union of India to immediately transfer Shri. Pankaj Kumar from the post of Presiding Officer, Debt Recovery Tribunal, Nagpur.

10. The present contempt petition is, accordingly, disposed of.

11. Shri. Kartik Shukul, learned D.S.G.I. alongwith Shri. Anup Gilda, learned counsel, representing the Union of India, who is present in Court, is requested to communicate this order to the Union of India for necessary compliance.

12. Though, we have disposed of this contempt petition, the Registry is directed to list the present contempt petition on 04.09.2026 before this Court for compliance of the present order.

13. The Union of India is directed to implement our order and submit a compliance report on or before the next date.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)