

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITON No.11888 OF 2015

JM Financial Asset Reconstruction Company
Private Limited. ...Petitioner.

vs.

The State of Maharashtra and ors. ...Respondents.

Mr. Nikhil Rajani i/by M/s.V. Deshpande & Co. for the Petitioner.
Mr. N.C. Walimbe, AGP. for Respondent Nos. 1 to 3.

CORAM : ANOOP V. MOHTA &
A.S. GADKARI, JJ.

DATE : 28th November, 201

ORDER:

1) Heard the learned counsel appearing for the petitioner.

2) On hearing the petitioner, we are inclined to dispose of the petitioner's application under Section-14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ("the Act"). Though the order was passed to initiate the process for taking possession in view of the notice issued under Section 13 of the Act and in spite of the applications moved on 1.9.2015 and 24.9.2015 requesting the District Magistrate, Pune to take action but for undisclosed reasons without any justification, no steps whatsoever have been taken.

3) Considering the scheme and object elaborated in Blue Coast Hotels Limited vs. IFCI Limited and anr. 2016(3) ABR 769 and in view of the newly added provisions of the Act it is necessary for the concerned authority to take steps as

early as possible preferably within 30 days and except specific reasons not beyond 60 days, therefore, we are inclined to direct the learned Tahsildar/Executive Magistrate, Maval, District Pune or the concerned authority to execute/enforce the order already passed within 4-weeks from today and if necessary by taking police assistance as already ordered on 23.7.2015.

Petition is accordingly disposed off. No costs.

(A.S.GADKARI, J.)

(ANOOP V. MOHTA, J.)