

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION No. 12208 OF 2017

**India Infoline Finance Ltd.
through its Authorized Signatory**

....Petitioner

Vs.

The State of Maharashtra and Anr.

....Respondents

Mr. Shashank N. Fadia for Petitioner
Ms. Jyoti Jadhav, AGP for Respondent No.1

**CORAM : A.A, SAYED &
MANISH PITALE, JJ**

DATE : 18th December, 2017

P.C.

1. This writ petition is filed under Article 226 of the Constitution of India seeking the following reliefs:

*“(a) That this Hon'ble Court may be pleased to issue the Writ of Mandamus or Writ in the nature of Mandamus or any other appropriate Writ, thereby directing the Respondent Nos.1 and 2 to expeditiously dispose of the Securitization Applications filed before Respondent No.2 being **Exhibit 'A'** and to provide the necessary administrative assistance to the Petitioner within 30 days to take*

physical possession of the secured assets as per amended proviso of Section 14 of the SARFAESI Act;

(b) That this Hon'ble Court be pleased to pass general directions, directing Respondent Nos.1 and 2 for disposing of the Applications of the Banks and the Financial institutions under Section 14 of the SARFAESI Act within time bound manner, i.e. within one month from the date of filing the concerned Application in consideration to the aim and object of the SARFAESI Act.”

2. Learned Counsel for the Petitioner has invited our attention to Exhibit 'A' which lists the two Applications viz. Case Nos. 154/SA/2016 and 155/SA/2016, which were pending for disposal at the time of filing of this Petition. Learned Counsel for the Petitioner informs us that so far as the Case No. 154/SA/2016 is concerned, the same has already been decided. Insofar as the Case No.155/SA/2016 is concerned, we are informed that the matter is kept on 29th December, 2017.

3. In these circumstances, considering the mandate of Section 14 of the SARFAESI Act to decide such Applications within 30 days and in any event, not later than 60 days, we direct Respondent No.2 to decide the Application being Case No. 155/SA/2016 on that day as far as possible and in any event, not later than one week thereafter. It is expected of Respondent No.2 to decide all Applications under Section 14 of SARFAESI Act at the earliest as per the

mandate of the said Section 14 and not to keep such Applications pending beyond 60 days at the highest.

4. Writ petition is disposed of in the aforesaid terms.

[MANISH PITALE , J.]

[A.A. SAYED, J.]