

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO. 11484 OF 2018

RBL Bank

Petitioner

Versus

The State of Maharashtra
& others

Respondents

Mr. S.S. Gangakhedkar, advocate for petitioner.
Mr. S.G. Karlekar, AGP for all respondents.

**CORAM : R.M.BORDE AND
MANGESH S. PATIL, JJ.
DATE : 16th October, 2018.**

PER COURT :

1. Petitioner makes a grievance as regards the delay occurred in enforcing the directions issued by the District Magistrate, Nanded on 06.04.2018. The District Magistrate has issued directions in respect of taking possession of the secured assets in observance of section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. However, for one reason or the other, those directions have not been complied with and possession of the secured assets has not been taken over and the same has not been handed over to the petitioner.

2. Sub-section 1-A of section 14 provides that the District Magistrate or the Chief Metropolitan Magistrate may authorise any officer subordinate to him (i) to take possession of such assets and documents relating thereto and (ii) to forward such assets and

documents to the secured creditors. In the instant matter, the obligation put on the District Magistrate in view of sub-section 1-A of section 14 has not been discharged.

3. In the circumstances we direct respondent - District Magistrate to take steps for taking possession of the secured assets and to forward such assets to the secured creditors as expeditiously as possible, preferably within a period of three weeks from today and, it is accordingly directed. For complying with the order in respect of assuming possession of the secured assets, respondent no. 3 shall provide necessary assistance to the Collector.

4. In view of above, writ petition stands disposed of.

MANGESH S. PATIL
JUDGE

R.M.BORDE
JUDGE

dyb