

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

WRIT PETITION NO.10641 OF 2018

Shriram Housing Finance Ltd. .. Petitioner

V/s.

State of Maharashtra and Ors. .. Respondents

Mr.Chetan G. Agrawal with Mr.Pravin Mangane with Mr.Pranav Dhakune for the Petitioner

Mrs.Sushama S. Bhende, A.G.P. for the Respondent nos.1 to 5

Mr.V.B.Rajure for the Respondent no.6

**CORAM: K.K. TATED &
SANDEEP K. SHINDE, JJ.**

DATED : OCTOBER 6, 2018

P.C. :

1 Heard the learned counsel for the parties.

2 By this petition under Article 226 of the Constitution of India, the Petitioner is seeking direction against Respondent nos.2 to 5 to execute and implement the order dated 21.04.2018 under section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 in respect of taking physical possession of the secured assets of Respondent no.6 to 9 and to hand over vacant and peaceful possession of the same to the Petitioner bank.

3 The learned A.G.P. for the Respondent no.1 to 5 filed Affidavit-in-Reply dated 06.10.2018 duly affirmed by Sachin Giri, Tahsildar, Karveer, Dist. Kolhapur stating that they will comply the said order within 15 days from today. Paragraph 2 of the said Affidavit-in-Reply reads thus:

“2. I say that pursuant to the order dated 21.04.2018 passed by District Magistrate and Collector, Kolhapur (Exhibit B to the petition) possession of secured assets mentioned in the said order will be taken and handed over the same to the secured creditors within 15 days from 06.10.2018 by following the procedure mentioned in SARFAESI Act, 2012.”

4 In view of the undertaking given by the Tahsildar, we do not find any substance in the present Writ Petition.

5 Writ Petition stands disposed of by accepting the undertaking given by the Tahsildar in his Affidavit-in-Reply.

6 No order as to costs.

(SANDEEP K. SHINDE, J.)

(K.K. TATED, J.)