

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

WRIT PETITION NO. 8897 OF 2012

Invent Assets Securitisation & Reconstruction Pvt. Ltd. ... Petitioner

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr. Rohit Gupta a/w Mr. N.I. Bakali for the Petitioner.

Ms. Jyoti P. Jadhav, A.G.P. for Respondent Nos.1 and 4.

**CORAM : A.A. SAYED AND
V.L. ACHLIYA, JJ.**

DATE : 7th JUNE, 2018.

PC. :

1 The prayer in the Petition is that directions be issued to Respondent No.3 for taking physical possession of the secured asset viz. Flat No.501, 5th floor, Gurusheesh Building, N.S. Road No.7, JVDP Vile Parle (West), Mumbai-400049, pursuant to the order passed by the Chief Metropolitan Magistrate dated 06.04.2009 under Section 14 of the SARFAESI Act.

2 Considering the passage of time, notwithstanding the earlier order passed by the Chief Metropolitan Magistrate, we permit the Petitioner (which has been substituted in place of the original Petitioner by a separate order passed today) to make a fresh Application to the Chief Metropolitan Magistrate under Section 14 of the SARFAESI Act. The learned Chief Metropolitan Magistrate shall decide the said Application expeditiously without being influenced by the earlier order.

3 The Petition is disposed of in the aforesaid terms.

(V.L. ACHLIYA, J.)

(A.A. SAYED, J.)