

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11902/2018

Dombivli Nagari Sahakari Bank Ltd. ... Petitioner

V/s.

State of Maharashtra & Ors. ... Respondents

Mr. R. R. Gole for the Petitioner

Mrs. Sushama S. Bhende, AGP for the Respondent State

**CORAM: K.K. TATED &
N. J. JAMADAR, JJ.**

DATED : NOVEMBER 1, 2018

P.C. :

1 Heard. By this petition under Article 226 of the Constitution of India the Petitioner seeks direction against the Respondent State to implement the order dated 27.04.2018 passed by Respondent No.3 under section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (said Act) expeditiously and within such time as directed by this court.

2 The learned AGP for the State has filed Affidavit-in-Reply dated 29.10.2018 duly affirmed by Dr. Jayashree Katare, Resident Dy. Collector, Pune stating that they will implement the order passed by Respondent No.3 on or before 30.11.2018. Paragraph 2 of the said Affidavit-in-Reply reads thus:

“2. I say that, pursuant to the order dated 27.04.2018 passed by the Resident Deputy Collector, Pune under section 14 of Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002, possession of the Secured Assets mentioned in the said order will be taken in the presence of Executive Magistrate before 30.11.2018 and on the same day, possession of the said Secured Assets will be handed over to the Petitioner by following due process of law.”

3 In view of the solemn statement made by the Dy. Collector in her Affidavit-in-Reply dated 29.10.2018, the Writ Petition stands disposed of with direction to the Respondent to comply with the order dated 27.04.2018 passed by Respondent No.3 u/s.14 of the said Act, as early as possible. No order as to costs.

(N. J. JAMADAR, J.)

(K. K. TATED, J.)