

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

WRIT PETITION NO.280 OF 2018

...	
Tata Capital Housing Finance Limited	...Petitioner
v/s.	
State of Maharashtra	...Respondent
...	
Mr.A.R.Gole i/b Medha Rane for the Petitioner.	
Mr.A.P.Vanarse, AGP for the State.	

...

CORAM : A.A. SAYED &
V.L.ACHLIYA, JJ.

DATED : 15 JANUARY 2018

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.1,2 and 3 to expeditiously dispose of the Misc. Applications filed before Respondent No.2/ District Magistrate/Collector of Pune being Exhibit 'A' and to provide the necessary administrative assistance to the Petitioner within 30 days as mandatorily directed Section 14 of the SARFAESI Act for taking possession of Secured Asset;

(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 and be further pleased to direct the Respondent Nos. 1 and 2 to dispose of the Applications as per Annexure immediately;”

2. Learned Counsel for the Petitioner submits that the Application viz. Case No. 583/2017 was pending for disposal before the District Magistrate/Collector of Pune at the time of filing of this Petition.

3. In these circumstances, considering the mandate of Section 14 of the SARFAESI Act to decide such Application within 30 days and in any event, not later than 60 days, we direct Respondent No.2 to decide the aforesaid Application at the earliest as per the mandate of the Section 14 of the SARFAESI Act.

4. In future too, it is expected of the Respondent No.2 not to keep such Applications pending beyond 60 days at the highest.

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

(V.L.ACHLIYA,J.)

(A.A.SAYED, J.)