

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

WRIT PETITION NO. 261 OF 2018

Jammu And Kashmir Bank Ltd. ... Petitioner
V/s.
The State of Maharashtra & Anr. ... Respondents

Mr. Soumya Radhakrishna a/w Dharmesh Jain i/b Anil T. Agarwal for the
Petitioner.

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

DATE : 22nd JANUARY, 2018.

PC. :

1 Learned Counsel for the Petitioner states that limited prayer of the Petitioner-Bank is that their application under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short 'SARFAESI Act') may be decided expeditiously considering the time lines provided in the said Section 14.

2 In paragraphs 14 and 15 of the Petition, it is averred as follows :-

“14. In the background of the above, the Petitioner on September 12, 2017 filed the Application No. 170 of 2017 before the Respondent No.2 under section 14 of the SARFAESI Act for taking physical possession of the Scheduled Property and consequential reliefs. It may be mentioned that prior to visiting the office of the Respondent No.2 on September 12, 2017, the Petitioner had also attended the office of the Respondent No.2 on August 28, 2017 when the office refused to accept the filing unless the application was accompanied by the record of rights of the Scheduled Property. Hereto annexed and marked as Exhibit “B” is the copy of Application No. 170 of 2017 under section 14 of the SARFAESI Act.

15. The Application No.170 of 2017 was scrutinized by the office of the Respondent No.2 and was allotted the final number. The Petitioner was informed that no further clarification or documents would be required as the order on the application would be passed immediately after the Diwali vacation. The Petitioner was, however, asked to furnish a copy of the valuation report for the Scheduled Property, which the Petitioner submitted on September 29, 2017. ”

3 Considering the mandate of Section 14 of the SARFAESI Act and since Respondent No.2 is required to decide the Application within a maximum period of 60 days, we direct Respondent No.2 to dispose of the Application as expeditiously as possible and in any event, by the end of February 2018.

4 The Writ Petition is disposed of accordingly.

(V.L. ACHLIYA, J.)

(A.A. SAYED, J.)