

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

WRIT PETITION NO. 6367 OF 2019

Kotak Mahindra Prime Ltd., Mumbai,
through its Authorized Officer Petitioner

Versus

The District Magistrate, Ahmednagar & Ors. Respondents

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Appearance :-

Shri. Vishal A. Bagdiya, Advocate for the petitioner
Shri. K. B. Jadhavar, AGP for respondent/State

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**CORAM : S. V. GANGAPURWALA
AND
ANIL S. KILOR, JJ.**

DATE : 07TH OCTOBER, 2019

PER COURT:-

1. The Government dues cannot override the dues of the secured creditor. The secured debt would not have precedence over the debt of secured creditor, more particularly, in view of the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act.

2. In the light of the above, respondents may take further steps as required under Section 14 of the SARFAESI Act, by following proper procedure.

3. The Writ Petition is disposed of. No costs.

[ANIL S. KILOR]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde