

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.11055 OF 2018

**INDIA INFOLINE FINANCE LTD THROUGH AUTHORIZED
OFFICER GOPAL SHANTARAM KURLE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Shri Satyajit S. Bora
AGP for Respondents No. 1 to 3 : Shri K. N. Lokhande
Advocate for Respondent No. 4 : Shri Pratik A. Bhosle

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**CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.**

DATE : 22nd AUGUST, 2019.

PER COURT :

1. Mr. Bora, learned counsel for the petitioner submits that the borrower has given an undertaking before the Debts Recovery Tribunal (D.R.T.) that he will handover the possession within 45 days. The said time is yet to expire.

2. Mr. Bhosale, learned advocate for respondent No. 4, submits that respondent No. 4 has filed affidavit stating that, as the proceedings were pending before D.R.T., steps could not be taken.

3. The learned counsel on behalf of the respondent No. 4 assures that if there are no prohibitory orders from D.R.T., respondent

No. 4 would take appropriate steps under Section 14 of the Securitisation & Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 for taking over the possession of the secured assets of the borrower.

4. Learned AGP also submits that after the period undertaken by the borrower to give possession to the petitioner before the D.R.T. lapses, respondent No. 3 will immediately take steps, to take the possession of the secured assets of the borrower. In view of the said statement, Writ Petition is disposed of.

(K. K. SONAWANE, J.)

(S. V. GANGAPURWALA, J.)

SVH