

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION STAMP NO.26927 OF 2019

Sundaram BNP Paribas Home Finance Ltd. ..Petitioners
Versus
State of Maharashtra & Ors. ..Respondents

Mr. Sidharth Samantaray a/w Ms. Dimple Tejani i/by Mr. Sanjay Anabhawane, Advocates for the Petitioner.
Mr. K. S. Thorat, AGP for Respondent Nos.1 to 3 - State.

CORAM : PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.
DATE : 25th NOVEMBER, 2019

P.C.

1] The Petitioner has obtained an order on 6th June 2019 from the District Magistrate, Pune under Section 14 of the SARFAESI Act, 2002 appointing Tahsildar, Pune to take possession of the secured asset for the reason the secured asset falls within the territorial jurisdiction of the area of which the Tahsildar is in-charge.

2] Grievance in the Writ Petition is that the learned Tahsildar is not taking possession of the secured asset in compliance with the order dated 6th June 2019 and has been postponing the date notified endlessly.

3] After the Writ Petition was filed the Tahsildar has communicated to the Petitioner under cover of a letter dated 13th

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November 2019 that possession of the secured asset would be taken over by him on 30th November 2019.

4] Thus, we dispose of the Petition directing Tahsildar, Pune to comply with his letter dated 13th November 2019 and ensure that physical possession of the secured asset is taken over on 30th November 2019 unless there is filed before the Tahsildar an order passed by DRT or DRAT prohibiting taking over of possession.

Balaji G.
Panchal

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by Balaji G.
Panchal
Date: 2019.11.25
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SMT. BHARATI DANGRE, J

CHIEF JUSTICE