

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION (STAMP) NO.2876 OF 2020

Mrs. Anjali Motiram Waghmare .. Petitioner

Vs.

HDFC Bank Limited .. Respondent

...

Mr. Siddharth Samantray i/b Mr. Vivek V. Phadke for the
Petitioner.

Mr. Vishal Tambat for the Respondent.

...

**CORAM: PRADEEP NANDRAJOG, C.J. &
SMT. BHARATI DANGRE, J.**

DATED : 14th FEBRUARY, 2020.

P.C:-

1. Learned counsel for the Petitioner states that a limited grievance is being projected in the Writ Petition. The limited grievance is that the order dated 16th January, 2012 passed by the District Magistrate under Section 14 of the SARFAESI Act has appointed the Tahsildar, Thane as the officer subordinate to him to take possession of the mortgaged property and thus the

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Tahsildar, Thane cannot sub-delegate the power to the Circle Officer, Bhayander (West).

2. Other issues which have been raised by the Petitioner before the Debt Recovery Tribunal would be urged before the Debt Recovery Tribunal.

3. In view of the limited issue raised in the Writ Petition we dispose of the Writ Petition directing that the Circle Officer, Bhayander (West) will not execute the order dated 16th January, 2012 passed by the District Magistrate, Thane. The Tahsildar, Thane who has been authorised by the said order would execute the same.

(SMT. BHARATI DANGRE, J.)

(CHIEF JUSTICE)