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

WRIT PETITION NO. 9100 OF 2019

The Greater Bombay Co-op Bank Ltd.

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

.....

Mr. Harish R. Pawar for the Petitioner.

Mr. R.S. Pawar, AGP for the Respondent -State.

.....

**CORAM : R.D. DHANUKA &
V.G. BISHT, JJ.**

DATE : 16th March, 2021

P.C.:

1. The petitioner has prayed for an order and direction against respondent Nos. 1 and 2 to provide police protection to respondent No.3 for execution of the order dated 6th January, 2017 passed by District Magistrate, Thane.

2. The petitioner's case is that the bank is not able to take possession of the suit property from the borrowers inspite of various attempts made by the petitioner. The petitioner accordingly made a representation to the Deputy Superintendent of Police, Zone -5,

Thane, requesting to provide police protection so as to enable the Circle Officer to take possession of the suit property. Statements made in the petition are accepted.

3. In our view, the petitioner has made out a case for grant of relief in terms of prayer clause (a). The petition is accordingly made absolute in terms of prayer clause (a). No order as to costs.

4. The charges, if any, demanded by respondent Nos. 1 and 2 to provide police protection to respondent No.3 shall be borne by the petitioner.

5. The petitioner shall inform respondent Nos. 1 and 2 as to when respondent No.3 would execute the order. As and when the request is made, respondent Nos. 1 and 2 shall provide police protection to respondent No.3.

(V.G.BISHT, J.)

(R.D.DHANUKA, J.)