

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

**925 WRIT PETITION NO.12441 OF 2022**

HDB FINANCIAL SERVICE LIMITED THROUGH ITS AUTHORIZED  
OFFICER VIJAYKUMAR BHIMRAO SAPKAL  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH  
THE SECRETARY AND OTHERS

...

Advocate for Petitioner : Mr. Amol S. Gandhi h/f. Mr. Punit S. Mehta  
AGP for Respondent/State : Ms. M.A. Deshpande

...

**AND**

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VERSUS  
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

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Advocate for Petitioner : Mr. Amol S. Gandhi h/f. Mr. Punit S. Mehta  
AGP for Respondent/State : Ms. Vaishali N. Patil Jadhav

...

**CORAM : MANGESH S. PATIL AND  
Y. G. KHOBRAGADE, JJ.**

**DATE : 08.12.2022**

**PER COURT :**

Heard the learned advocate for the petitioner and the learned  
AGP for the respondent State.

2. The petitioner is aggrieved by the fact that in spite of the  
respondent Collector having exercised the power under Section 14 of the  
Securitisation and Reconstruction of Financial Assets and Enforcement of  
Security Interest Act, 2002, the order is being sought to be executed by the  
Tahsildar through his subordinates which has been held to be illegal by this

Court in the matter of **Punjab National Bank Vs. State of Maharashtra and Ors.**; (WP No.26048/2019 dated 12.12.2019).

3. We dispose of the writ petition by directing the respondent No.3 - Tahsildar to take appropriate steps in the light of the observations made herein above and the decision of this Court in the matter of **Punjab National Bank** (supra) as early as possible and in any event within two weeks from today.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)