

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

951 WRIT PETITION NO.12476 OF 2022

BANK OF MAHARASHTRA THROUGH ITS CHIEF MANAGER
VERSUS
THE COLLECTOR DISTRICT MAGISTRATE
AURANGABAD AND ANOTHER

...
Advocate for Petitioner : Mr. Adwant S.V.
AGP for the respondent – State : Mrs. M.A. Deshpande
...

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

DATE : 8 DECEMBER 2022

PC :

Heard the petitioner bank.

2. The petitioner is aggrieved by the order passed by the Additional Tahsildar staying the execution of the order passed under section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement Of Security Interest Act, 2002 (**SARFESI Act**) at the instance of the borrowers.

3. It is trite that the Tahsildar is merely supposed to execute the orders passed under section 14 of the SARFESI Act and has no jurisdiction or power to go beyond the order. The impugned order runs counter to the trite legal position.

4. The impugned order is quashed and set aside and the respondent no. 2 is directed to take urgent steps for executing the order passed under section 14 of the SARFESI Act by the respondent no. 1 – Collector.

5. Writ petition is disposed of.

[Y. G. KHOBRADE]
JUDGE

[MANGESH S. PATIL]
JUDGE

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