

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

**WRIT PETITION NO. 4252 OF 2022**

Anand Rathi Global Finance Ltd.

.. Petitioner

V/s

The State of Maharashtra  
Through The District Magistrate,  
Thane & Ors.

.. Respondents

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Mr. K.N. Solunke – AGP for the State of Maharashtra.  
Mr.Charles D’souza a/w Mr.Apporva Kulkarni i/b.  
M/s.V.Deshpande & Co.

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**CORAM: A. A. SAYED &  
ABHAY AHUJA, JJ.**

**DATE : 8<sup>th</sup> APRIL 2022**

***P.C. :-***

1. Learned Counsel for the Petitioner Anand Rathi Global Finance Limited, submits that Petitioner is only seeking execution and implementation of order dated 9/9/2019 passed by the District Magistrate under Section 14 of the SARFAESI Act, 2002. He has tendered a copy of the communication dated 4/4/2022 issued by the Respondent No.2 – Tahsildar to the

Deputy Police Commissioner seeking police assistance for taking possession of the secured assets mentioned therein on 11/4/2022 at 1.30 p.m.. Learned Counsel for the Petitioner further states that the only apprehension of the Petitioner is that the possession may not be taken at the instance of the borrowers. He states that on previous occasions also, the possession notices were issued on viz., 28/11/2019, 14/9/2020, 01/02/2020 and 31/3/2021 in order to take the physical possession, however, the possession was not taken.

2. In the circumstances of the case, we direct the Respondent No. 2 - Tahsildar to take physical possession of the secured assets on 11/4/2022 at 1.30 p.m. We further direct that necessary police assistance be provided by the Senior Inspector - Vashi Police Station, Navi Mumbai and ensure that the physical possession is taken on the aforesaid date and time. All the concerned Authorities shall act upon the aforesaid directions.

3. In the light of aforesaid directions, Writ Petition is disposed of.

4. List the Petition for reporting compliance on 19<sup>th</sup> April, 2022.

(ABHAY AHUJA, J.)

(A. A. SAYED, J.)