

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13591 OF 2022

RBL Bank Ltd. and Anr.

.....Petitioners

Vs.

State of Maharashtra and Ors.

.....Respondents

Mr. Prathamesh Kamat a/w Mr. Nikhil Rajani i/by V. Deshpande & Co.
Ms. S. D. Vyas 'B' Panel counsel for State.

**CORAM : K. R. SHRIRAM &
ARIF S. DOCTOR, JJ.**

DATE : 18th NOVEMBER, 2022

PC.:-

1. In view of the prayers sought in the Petition, counsels agree that the Petition can be disposed at this stage itself.
2. Petitioner is seeking a direction to Respondent No.2 to execute and implement an order dated 23rd January, 2020 passed by District Court Magistrate, Kolhapur under Section 14 of SARFAESI Act and take possession of the secured assets. Mr. Kamat submitted that after an inordinate delay of almost 21 months, time was fixed to take possession of the secured assets in October, 2021 but the officer took ill. Thereafter, over 12 months have passed but no action has been taken.
3. Ms. Vyas in fairness agreed that the order dated 23rd January, 2020 has to be executed and the Court may fix such reasonable time as it deems fit.

4. Considering the facts and circumstances, Respondent No.2 is directed to execute and implement order dated 23rd January, 2020 not later than 20th December, 2022. All to act on authenticated copy of this order. Petitioner to serve upon Respondent No.2 a copy of this order within five working days of the order being uploaded.

5. Petition disposed. No order as to costs.

(ARIF S. DOCTOR, J.)

(K. R. SHRIRAM, J.)