

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
953 WRIT PETITION NO.3649 OF 2023**

**DWARKADAS MANTRI NAGRI SAHKARI BANK LTD
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR AND ANOTHER**

...
Advocate for Petitioner : Mr. Bangar Nilkanth P.
AGP for Respondents/State: Mr. P. K. Lakhotiya
...

**CORAM : NITIN W. SAMBRE &
S. G. CHAPALGAONKAR, JJ.**

DATE : 30.03.2023

PER COURT :

1. The contention of the petitioner/bank is that in pursuance of the application under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 [hereinafter referred to as 'SARFAESI Act' for short], the possession was delivered. However, the borrower has illegally repossessed the property. The petitioner/bank has filed FIR. Accordingly, crime is registered with City Police Station, Shrirampur against the borrower. The petitioner/bank had made further representation to the District Collector, Ahmednagar dated 14th December, 2018 and requested for restoration of the possession by invoking the jurisdiction under Section 14(1) of SARFAESI Act. However, no action in pursuance of the said representation is taken till this date.

2. We dispose of the petition by directing the District Collector, Ahmednagar/respondent no.1 to decide the representation dated 14th

December, 2018 in light of the judgment delivered by this Court in Writ Petition No.10069/2022 as expeditiously as possible and in any case within a period of six weeks from the date of service of this order.

3. The writ petition is disposed of accordingly.

(S. G. CHAPALGAONKAR, J.)

(NITIN W. SAMBRE, J.)

Sameer