

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

WRIT PETITION NO.13069 OF 2023

**M/S JEEV URJA PRIVATE LIMITED THROUGH
EXECUTIVE DIRECTOR
VERSUS
THE STATE OF MAHARASHTRA THROUGH SECRETARY
REVENUE AND FOREST DEPARTMENT**

...
Advocate for the Petitioner : Shri Tungar Nikhilesh K.
AGP for the Respondents/State : Shri V.M. Kagne
...

**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 01st November, 2023

Per Court :-

1. The Petitioner is the borrower. Respondent No.3 is the Financial Institution, which had moved an application under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, before the District Magistrate. The said application has already been adjudicated upon and the orders have been passed. The Petitioner is already before the learned Debts Recovery Tribunal under Section 13(4) of the said Act.

2. The contention in this petition is that the Petitioner

has moved an application before the District Magistrate seeking recalling of the order passed under Section 14. The Petitioner is aware that there is no such provision under the said Act under which the said application would be maintainable.

3. In view of the above, we do not deem it appropriate to exercise our Writ jurisdiction to issue a Writ of Mandamus to the District Collector to entertain an application, which is not based or founded on any provision under the said Act. So also, the law laid down by this Court at the Principal Seat in Writ Petition No.15285/2022 (*L&T Finance Limited and others vs. The State of Maharashtra and others*) and a group of petitions decided on 17.03.2023, would be applicable.

4. In view of the above, **this Writ Petition is dismissed.**

kps

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)