

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

**WRIT PETITION NO.12756 OF 2023**

**SAHYADRI FOODS AND AGRO INDUSTRIES THROUGH ITS  
PROPRIETOR PRVIN VILASRAO DESHMUKH  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH POLICE INSPECTOR  
AND ANOTHER**

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Mr. D. R. Jethliya, Advocate for Petitioner  
Mr. P. K. Lakhotiya, AGP for Respondent No.1 – State  
Mr. R. V. Gore, Advocate a/w Mr. Eshwar Mohite, Advocates for  
Respondent No.2

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

**DATE : 12.10.2023**

**PER COURT :-**

1. The Petitioner's apprehension that physical possession of the property would be taken forcibly prior to an order being passed by the District Magistrate under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002, is put to rest in the light of the statement made by the learned Advocate appearing on behalf of Respondent No.2 Bank that the symbolic

possession of the property has already been taken. This is a step prior to seeking orders under Section 14 of the SARFAESI Act.

2. The learned Advocate for the Petitioner submits that the Petitioner's apprehension is put to rest.

3. We make it clear that the authorities are at liberty to follow the due procedure laid down in law and this Court would not monitor the said proceedings as the authorities concerned are duty bound to follow the provisions of law.

4. The **Writ Petition is disposed off.**

[ Y. G. KHOBRADE, J. ]

[ RAVINDRA V. GHUGE, J. ]

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