

JPP

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

WRIT PETITION NO. 1673 OF 2023

Axis Bank Ltd. And Anr.

... Petitioners

V/s.

The State of Maharashtra
Through the Government Pleader

... Respondent

Mr. Nikhil Rajani i/b. V. Deshpande & Co. for the Petitioners
None for the Respondent

***CORAM : NITIN JAMDAR &
ABHAY AHUJA, JJ.***

DATE : 15 FEBRUARY 2023

P.C. :-

The Petitioner is before us making a grievance that the application made by the Petitioner under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002 has not been decided and should be directed to be decided within a reasonable time.

2. In the order passed on 9 February 2023 in a group of Petitions bearing Writ Petition (A.S.) No. 15285 of 2022 and Ors.,

we had recorded the statement of the learned Advocate General that the pending applications under Section 14 of the SARFAESI Act will be disposed of by 31 March 2023. The learned Advocate General also stated that apart from the special drive, guidelines will be issued so that in future the secured creditors need not have to approach this Court for direction such as this.

3. We had also passed an order that pending such guidelines in case if the matters pending unduly for a long period, the secured creditor can approach the concerned Divisional Commissioner and the Divisional Commissioner would look into the same and issue necessary directions.

4. Therefore, we dispose of the Writ Petition directing that at the first instance the District Magistrate will look into the grievance of the Petitioner and will take steps at the earliest. If the District Magistrate does not look into the matter, then the Petitioner is at liberty to approach the Divisional Commissioner with a representation who will look into the representation and issue necessary instructions.

ABHAY AHUJA, J.

NITIN JAMDAR, J.

JYOTI
PRAKASH
PAWAR

Digitally signed
by JYOTI
PRAKASH
PAWAR
Date:
2023.02.17
12:25:59 +0530