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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5054 OF 2021

Mrs. Vanita W/o. Late Ramdhan Saini ... Petitioner

VS.

The State of Maharashtra & Anr. ... Respondents

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Mr. Ashok M. Saraogi for the Petitioner.

Ms. S.D.Vyas, 'B' Panel Counsel for the State.

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

DATE : 13 FEBRUARY 2023

P.C. :-

Heard the learned Counsel for the parties.

2. It is the case of the Petitioner that the Petitioner's husband was a borrower and director of a company who had borrowed certain amounts from Respondent No.2 and that a residential flat is a secured asset. Till date no coercive steps have been taken against the Petitioner by Respondent No.2 under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 which fact is also recorded in the order dated 9 September 2021.

3. If and when Respondent No.2, a secured creditor, is proceeding against the secured asset as per the provisions of the SARFAESI Act of 2002, the Petitioner would have rights open to contest such action as may be permissible in law in fact.

4. With these observations, the writ petition is disposed of.

ABHAY AHUJA, J.

NITIN JAMDAR, J.