

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

WRIT PETITION NO. 7043 OF 2023

TATA Capital Finance Services Ltd. .. Petitioner

Versus

The State of Maharashtra and Ors. .. Respondents

Mr. Nikhil Mehta i/b KMC Legal Venture, Advocates for the Petitioner.

Mr. R.S. Pawar, AGP for Respondent Nos. 1 and 2.

Mr. Asudali Mazgaonkar i//b Mr. Sandeep Bali, Advocate for Respondent Nos. 3 and 5.

**CORAM : B. P. COLABAWALLA &
M.M. SATHAYE, JJ.**

DATE : JUNE 20, 2023

P. C.

1. In the above matter, learned Counsel appearing on behalf of Respondent No. 2 has stated that Respondent No. 2 has already given notice that possession shall be taken of the secured assets on 12.07.2023.

2. In light of this, we direct Respondent No. 2 to take possession of the secured assets on the said date and hand over the same to the Petitioner. If the Tehsildar requires the assistance of the Police while

taking possession, the concerned local Police Station shall give all assistance including providing adequate number of police personnel, failing which the Senior Inspector of the concerned Police Station shall be held liable for contempt.

3. The Writ Petition is disposed of in the aforesaid terms. No order as to costs.

4. Place the above Writ Petition on board on 20/07/2023 only for the purpose of compliance.

5. All concerned to act on an authenticated copy of this order duly authenticated by the Associate.

[M.M. SATHAYE, J.]

[B. P. COLABAWALLA, J.]