



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

49 WRIT PETITION NO. 2697 OF 2024

AU SMALL FINANCE BANK LTD THROUGH ITS
AUTHORIZED OFFICER

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

AND

WRIT PETITION (STAMP) NO.8001 OF 2024

(Not on the Board. Mentioned. Taken on the Production Board.)

AU SMALL FINANCE BANK LTD THROUGH ITS
AUTHORIZED OFFICER

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

AND

WRIT PETITION (STAMP) NO.8002 OF 2024

(Not on the Board. Mentioned. Taken on the Production Board.)

AU SMALL FINANCE BANK LTD THROUGH ITS
AUTHORIZED OFFICER

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

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Shri Munde Suresh W., Advocate for the Petitioners.
Shri P.K. Lakhotiya, AGP for the Respondents/State.

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**CORAM : RAVINDRA V. GHUGE
&
R.M. JOSHI, JJ.**

DATE :- 13th March, 2024

Per Court :-

1. When we took up Writ Petition No.2697/2024 for hearing on 11.03.2024, we found that the Petitioner had filed a common Writ Petition with reference to three loan accounts and the three different orders passed by the District Magistrate under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short “the SARFAESI Act”). Hence, this Writ Petition is considered in relation to the first loan account.

2. Today, the Petitioner has tendered two Writ Petition (stamp) Nos.8001/2024 and 8002/2024 with reference to two different loan accounts. All these Writ Petitions are heard together.

3. It is well settled that an order passed by the District Magistrate under Section 14 of the SARFAESI Act has to be implemented only by his office or by the Tahsildar, on delegation of the authority. The Circle Officer does not have any authority. Such compliance has to be done within 30 days.

4. In view of the above, **these Writ Petitions are disposed off** with directions to the Tahsildars of Talukas Akole,

Pathardi and Rahata, to ensure that the order of the District Magistrate passed under Section 14 of the SARFAESI Act is complied with by following the due procedure and executed within 30 days, which is the statutory prescription of law.

kps

(R.M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)