

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

WRIT PETITION NO. 12643 OF 2023

Tata Capital Housing Finance Ltd ...Petitioner

Versus

State of Maharashtra & Ors ...Respondents

Mr. Nikhil Mehta, Advocate for the Applicant/Petitioner.

Ms. M. S. Bane, A.G.P., for State-Respondent No.1.

**CORAM : B. P. COLABAWALLA &
SOMASEKHAR SUNDARESAN, JJ.**

DATE : JANUARY 02, 2024

PC :

1. The above Writ Petition is filed seeking a direction to the Chief Judicial Magistrate, Thane to expedite the hearing of the Application filed under Section 14 of the the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (for short “SARAESI Act, 2002”) being No. C.C. C-202300233 which is pending since 17th September 2022.

2. Under the normal circumstances, the Magistrate, under Section 14 of the SARFAESI Act, 2002, is supposed to decide the said Application within a period of sixty days.

3. Considering that more than a year has elapsed since the filing of the said Section 14 Application, we dispose of the above Writ Petition by directing the Chief Judicial Magistrate, Thane to hear the Section 14 Application filed by the Petitioner as expeditiously as possible and in any event within a period of six weeks from today.

4. The above Writ Petition is disposed of in the aforesaid terms. However, there shall be no order as to costs.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[SOMASEKHAR SUNDARESAN, J.]

[B. P. COLABAWALLA, J.]