

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

WRIT PETITION NO.9829 OF 2024

**SNEHA
ABHAY
DIXIT**

Sundaram Home Finance Ltd., Kolhapur

.. Petitioner

Vs.

State of Maharashtra and Ors.

.. Respondents

Digitally signed
by SNEHA
ABHAY DIXIT
Date: 2024.07.17
13:42:08 +0530

Mr. Sanjay Anabhawane, Advocate for the petitioner.

Mrs. Tanaya D. Goswami, Assistant Government Pleader for the
respondent nos.1 to 4.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 16TH JULY, 2024.

PC. :

1. Considering the nature of directions that are sought to be issued, service of notice on respondent nos.5 and 6 is dispensed with. A prayer is made for issuing a direction to the learned Chief Judicial Magistrate, Nashik to consider the application dated 3rd June 2024 moved by the petitioner seeking to enforce its security interest by initiating action under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, (*for short, "Act of 2002"*). The petitioner having filed Criminal Miscellaneous Application No.891 of 2022, it received physical possession of the secured assets on 27th December 2023. It is however the case of the petitioner that the property has been trespassed by respondent nos.5 and 6. The First Information Report dated 21st May 2024 has been lodged against them. In this backdrop, the petitioner prays that the application filed by it before the learned Chief Judicial Magistrate, Nashik be expedited in the interest of justice. That application has been filed on 3rd June 2024.

2. In the aforesaid facts, the proceedings before the learned Chief Judicial Magistrate, Nashik are expedited. The same shall be decided in accordance with law keeping in view the time-frame prescribed under Section 11 of the Act of 2002.

3. The writ petition is disposed of in aforesaid terms.

4. Parties to act on authenticated copy of this order.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]