



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2307 OF 2025

BANK OF MAHARASHTRA THROUGH ITS
AUTHORIZED OFFICER RANDHIR B. PRASAD
VERSUS

1. THE DISTRICT MAGISTRATE AND COLLECTOR JALNA DIST. JALNA
2. THE TAHSILDAR, GHANSAVANGI, DIST. JALNA

...
Advocate for the Petitioner : Mr. Aditya Sikchi h/f. Mr. Patil Vaibhav R.
AGP for Respondents: Mr. S.R. Wakale
...

CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.

DATE : 18.02.2025

PER COURT:

We have heard the learned advocate for the petitioner and the learned AGP.

2. As usual is the phenomenon, once having passed the order under Section 14 of The Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (**SARFAESI Act**), the District Magistrates would carry an impression about having become *functus officio* and are reluctant even to monitor if the orders passed by them have been taken to the logical end in the form of its execution by the Tahsildars.

3. As is evident in the present matter respondent No.1 had

passed the order under Section 14 on 07.02.2020 and the petitioner who is a secured creditor is before us today awaiting execution of that order.

4. Considering the aim and object of the SARFAESI Act to enhance the confidence of the banking community, it would be unbecoming for a District Magistrate to be oblivious of the scenario and in taking a passive approach. If the statute has conferred upon him powers under Section 14, it is imperative that he should be vigilant enough in seeing to it that the order is executed in letter and spirit, else it would run afoul to the avowed object of the SARFAESI Act.

5. Be that as it may, we dispose of the writ petition with the direction to the respondents to ensure that the order passed by respondent No.1 under Section 14 is executed, as expeditiously as possible, and in any case within three weeks.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

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