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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

16 WRIT PETITION NO. 8546 OF 2025

S.M.F.G. India Home Finance Co. Ltd., Throught Its Authoirzed Officer
VERSUS
The State Of Maharashtra And Others

.....

Mr. Shailendra Gangakhedkar, Advocate h/f Mr. R.S. Gangakhedkar,
Advocate for Petitioner
Mr.VM. Kagne, AGP for Respondents Nos.1 to 4

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CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATE : 13 OCTOBER, 2025

PER COURT :-

1. The present petition has been filed for following relief:

“B. By an Order of this Hon'ble High Court, a writ or any other appropriate direction and/or order in the like nature of writ, be issued as against the respondent No.2 to 5, directing them to execute the Order Dt. 19.05.2023 in Case No. DandPra/ 4/ CQ/SR/2022/7035 passed U/Sec. 14 of Securitisation and Reconstruction of Financial Assets and Enforcement of Security interest Act 2002, as early as possible strictly in conformity with the orders/judgment of this Hon'ble High Court and the provisions of the said Act of 2002.”

2. The order appears to have been passed on 19.05.2023. It further appears that the Tahsildar had also issued a notice for handing over possession. The learned Advocate for the petitioners submits that when there was resistance, a non-cognizable offence came to be registered. The petitioner is relying on the communication dated 16.04.2025

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addressed to the District Collector, Jalgaon, as well as to the Superintendent of Police, Jalgaon, for implementation of the order.

3. The learned AGP, upon instructions, submits that even recently, by notice dated --/05/2025, the representative of the petitioners was directed to remain present at 11:00 a.m. on 17.06.2025. However, on 17.06.2025, the authorized officer submitted a written application stating that, due to a technical problem, the matter should be adjourned. The learned AGP submits that twice or thrice there was an attempt, but the petitioners' side did not remain present. However, he makes a statement that if the representative of the petitioners remains present on the given date, the entire procedure would be completed.

4. The learned Advocate for the petitioners then makes a statement that the petitioners will complete the necessary formalities before the next date, i.e., by 04.11.2025. It is submitted that this Court may direct the authorized officer to carry out the process on 04.11.2025.

5. In view of the statement made by the learned Advocate for the petitioners, if the formalities are completed then the petitioners' authorized person to remain present at the place of the property at 11.00 a.m. on 04.11.2025 and thereupon the authorized officer i.e. Tahsildar, Jalgaon to complete the process.

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6. With the aforesaid directions, the writ petition stands disposed of.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane