



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9029 OF 2025

IIFL Home Finance Limited

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. Amol G. Vasmatkar h/f Ms. Wangikar Pallavi Purushottam And Mr. Wangikar N.P., for Petitioner.
- Mr. S. V. Hange, AGP for Respondents.

**CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 19th AUGUST 2025.

P. C. :

1. This petition is filed for a limited direction to the respondents. The petitioner is a non- banking financial institution. An order under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act), has been passed in favour of the petitioner. In that context the petitioner had approached the respondents for police assistance for proper execution of such an order. The grievance of the petitioner is that despite the requisite charges being deposited, police assistance was not provided. This is not only against orders passed by this Court in similar cases, but also against the Government circular dated 22nd April 2019.

2. The learned AGP appears for all the three respondents. He points out that as per communication dated 21st March 2025, at Exhibit “E”, the amount deposited by the petitioner had to be returned, as the police assistance could not be provided due to administrative reasons.

3. We are of the opinion that for effective execution of the provisions of the SARFAESI Act, particularly orders passed by the Magistrate under Section 14 thereof, police assistance ought to be provided, subject to payment of charges. If such timely police assistance is not provided, the orders obtained by entities like the petitioner in accordance with law under the provisions of the SARFAESI Act, would be reduced to a nullity.

4. In view of the above, the petitioner is directed that it shall apply to respondent No.3 for police assistance for execution of the order passed in its favour under Section 14 of the SARFAESI Act, within two weeks from today and the petitioner shall deposit the requisite charges. Upon the petitioner applying within the said time period and depositing the requisite charges, the respondent No.3 shall provide necessary police assistance. In order to better coordinate the

effort, we direct the petitioner to also specify the date on which the petitioner intends to execute the said order, so that respondent No.3 can make available necessary police assistance for execution of the order.

5. The petition stands disposed of in above terms. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRADE, J.)

(MANISH PITALE, J.)