



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 12299 OF 2025

Motilal Oswal Home Finance Ltd., Thr Its Authorized Officer

VERSUS

The State Of Maharashtra And Others

Mr. P. K. Wagh h/f Mr. B. S. Choure, Advocate for petitioner

Mr. S. D. Ghayal, Addl. GP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 07th October, 2025

PER COURT :-

1. Leave to amend to be carried out immediately.
2. The petitioner is seeking direction to the respondent Nos. 1 and 2 to take appropriate steps for execution of Section 14 order and respondent Nos. 3 and 4 Police Authority to provide police assistance for taking possession.
3. Heard learned Advocate for the petitioner.
4. Learned AGP waives service of notice for all respondents.
5. It appears that the proceedings under SARFAESI Act has been decided by respondent No. 1, and the respondent No. 1 has appointed Tahsildar, Pachora as his representative to take the possession

of the secured assets. The order that has been passed by respondent No. 1 on 31.03.2022 could speak every step i.e., required to be undertaken and inclusive of taking police protection upon payment of necessary charges. Certainly, those charges would be payable by the petitioner. However, we are of the opinion that this situation will arise only as a last resort if there is resistance on the part of those persons against whom the order has been passed from the documents. We do not find that there is any such situation. Further Exhibit 'D' dated 19.05.2025 (Page No.24) has been filed by the present petitioner on its own. It is not on behalf of Tahsildar, Pachora who is representative of respondent No. 1 for getting the order executed as assessment of the situation is in fact would decide the further things. At the most the petitioner can made a representation to Tahsildar, Pachora.

6. With the aforesaid liberty, we dispose of the petition as no further directions are necessary and can be given.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi