

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17940 OF 2024

Sadhana Sahakari Bank Ltd.

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

.....

Mr. V. P. Kakade a/w. Mr. Sambhaji Jagtap and Mr. Sudhanshu Bade for the Petitioner.

Mr. N. C. Walimbe, Addl GP a/w. Mrs. Ashwini A. Purav, AGP for the Respondent-State.

CORAM : **M. S. KARNIK AND**
N. R. BORKAR, JJ.

DATED : **30th JULY, 2025.**

P.C. :

1. Learned counsel for the petitioner submits that in compliance of order passed under Section 14 of the SARFAESI Act, the possession of the secured asset was taken. However, the borrower has trespassed in the property. Additional affidavit filed on behalf of the petitioner is taken on record. The petition was filed for enforcement of order passed under Section 14 of the SARFAESI Act. It is submitted that the FIR has already been filed.

2. In view of law laid down in **Kotak Mahindra Bank Ltd. & Anr. Vs. State of Maharashtra & Ors.** in Writ Petition No. 6805/23 decided on 30.06.2023, the Naib Tahsildar, Haveli, Pune is directed to ensure that the possession of the secured asset is taken within eight weeks from today. In-charge of concerned police station shall co-operate and provide

necessary assistance. Learned counsel for the petitioner submits that the charges for the police protection shall be borne by the petitioner. If, there is failure on the part of the Naib Tahsildar in taking possession and handing over it to the petitioner within eight weeks from today, liberty to apply.

3. The petition is disposed of.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)