



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10889 OF 2024

Auxilo Finserve Private Limited and anr. ..Petitioners
vs.
The State of Maharashtra and ors. ..Respondents

**WITH
INTERIM APPLICATION NO.12978 OF 2024
IN
WRIT PETITION NO.10889 OF 2024**

Chaitanya Bahuuddeshiya Shikshan
Prasarak Mandal and ors. ..Applicants

In the matter between

Auxilo Finserve Private Limited and anr. ..Petitioners
vs.
The State of Maharashtra and ors. ..Respondents

Adv. Charles Desouza a/w Adv. Nikhil Rajani, Adv. Rupak
Sawangikar, Adv. Ajay Deshmane i/b. V. Deshpande & Co.,
for the Petitioners.

Mr. B. V. Samant, Addl.G.P. a/w Mr. S. P. Kamble, AGP, for the
Respondent-State.

Adv. D. V. Sutar a/w Adv. Kavita Vijapure, Adv. Latika Kabad,
for the Applicants.

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

DATE : 19th JUNE, 2025

P.C. :

1. The secured asset is a building where a school is
situated. It is the contention of the secured creditor that

despite specific orders and even after taking possession, the borrower has re-entered the property. It is further submitted that despite specific orders of this Court not to admit any students for the academic year 2025-2026, the borrower is publishing advertisements and admitting students.

2. Learned AGP submits that the Education Department is not granting any permission and all these admissions are not without any intimation to the Education Officer and illegal.

3. We find the action of the borrower very high-handed and in breach of the orders passed by this Court. However, at the request of learned counsel for the borrower, we grant time till Tuesday i.e. 24th June 2025 to rectify the situation and restore the possession of the secured asset to the Petitioners.

4. List the matter on 24th June 2025 on the supplementary board.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)