



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

WRIT PETITION NO.2081 OF 2025

Tata Capital Limited ..Petitioner
vs.
The State of Maharashtra and anr. ..Respondents

Mr. Nikhil Mehta i/b. KMC Legal Venture, for the Petitioner.

Ms. Rupali Shinde, AGP, for the Respondent-State.

Mr. Ashutosh Kulkarni a/w Mr. Sarthak Diwan i/b. Mr. Aadesh
Konde Deshmukh, for the Intervenor.

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

DATE : 17th JUNE, 2025

P.C. :

- 1.** Heard learned counsel for the parties.
- 2.** Learned AGP submits that due to demise of the concerned officer, possession of the secured asset scheduled to be taken on 28th May 2025 could not be taken in terms of the order dated 9th April 2025 passed by this Court. A statement is now made that the date for taking possession of the secured asset is now scheduled on 3rd July 2025.

3. Mr. Kulkarni appears for the borrower and opposes the attempt on the part of the Respondents in taking possession. It is not possible for us to entertain the objection of Mr. Kulkarni appearing on behalf of the borrower in these proceedings. It is open for the borrower to resort to appropriate proceedings. In the meanwhile, as there is no legal impediment, the Tahsildar to proceed with the taking of the possession. It is open for the Petitioner to seek police protection by paying necessary charges.

4. List the matter on 7th July 2025.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)