

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

WRIT PETITION NO. 4425 OF 2025

ICICI Home Finance Co. Ltd & Anr.

... Petitioner

V/s.

State of Maharashtra

(through District Magistrate) & Ors.

... Respondents

Mr. Nikhil Rajani i/b. M/s. V. Deshpande & Co. for Petitioner.

Ms. Kavita N. Solunke, learned Addl. G.P., a/w. Mr. A.A. Alaspurkar, learned AGP for State.

Mr. Ajinkya Madhav Kulkarni – Respondent No. 6 – Borrower present.

**CORAM : R.I. CHAGLA AND
FARHAN P. DUBASH, JJ.**

DATE : 24th DECEMBER 2025

ORDER :

1. By this Petition the Petitioner is seeking directions to Respondent Nos. 2 to 5 to forthwith remove trespassers from the Secured Asset of the Petitioner which was in physical possession of the Petitioner in execution of the earlier order dated 23rd January 2024 passed by Respondent No. 1 and to

take further steps in handing over the vacant and physical possession of the said Secured Asset to the Petitioner in time bound manner.

2. The Respondent No. 6 – borrower is present in Court pursuant to the notice issued by this Court. He states that he is presently in occupation of the Secured Asset.

3. The learned Addl.G.P. appearing for the State on instructions states that the Respondent No. 2 – Nayab Tahasildar, Loni Kalbhor, Pune will issue the possession notice on or before 31st December 2025 and physical possession of the Secured Asset will be taken on or before 31st January 2026. The statement is accepted.

4. The Respondent No. 6 – borrower who is currently in possession of the Secured Asset and present in Court, shall co-operate with the handing over of the Secured Asset to the Respondent No. 2 – Nayab Tahasildar, Loni Kalbhor, Pune, on the scheduled date of taking physical possession of the Secured Asset.

5. The Respondent Nos. 3 to 5 shall also render necessary police assistance to the Respondent No. 2 in taking of physical possession of the

Secured Asset on the scheduled date.

6. The Writ Petition is accordingly disposed of. No order as to costs.

7. Place the Writ Petition for compliance on 2nd February 2026.

[FARHAN P. DUBASH, J.]

[R.I. CHAGLA, J.]

Ajay Jadhav
916.WP/4425/2025

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