

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5736 OF 2025

Motilal Oswal Home Finance Limited
(Formerly known as Aspire Home Finance
Corporation Limited)

...Petitioner

Versus

The State of Maharashtra,
District Magistrate Pune and Ors.

...Respondents

WITH

WRIT PETITION NO. 5727 OF 2025

Motilal Oswal Home Finance Limited
(Formerly known as Aspire Home Finance
Corporation Limited)

...Petitioner

Versus

The State of Maharashtra,
District Magistrate Pune and Ors.

...Respondents

WITH

WRIT PETITION NO. 5734 OF 2025

Motilal Oswal Home Finance Limited
(Formerly known as Aspire Home Finance
Corporation Limited)

...Petitioner

Versus

The State of Maharashtra,
District Magistrate Pune and Ors.

...Respondents

WITH
WRIT PETITION NO. 5738 OF 2025

Motilal Oswal Home Finance Limited
(Formerly known as Aspire Home Finance
Corporation Limited) ...Petitioner

Versus

The State of Maharashtra,
District Magistrate Pune and Ors. ...Respondents

WITH
WRIT PETITION NO. 5741 OF 2025

Motilal Oswal Home Finance Limited
(Formerly known as Aspire Home Finance
Corporation Limited) ...Petitioner

Versus

The State of Maharashtra,
District Magistrate Pune and Ors. ...Respondents

WITH
WRIT PETITION NO. 6873 OF 2025

Motilal Oswal Home Finance Limited
(Formerly known as Aspire Home Finance
Corporation Limited) ...Petitioner

Versus

The State of Maharashtra,
District Magistrate Pune and Ors. ...Respondents

WITH

WRIT PETITION NO. 6872 OF 2025

Motilal Oswal Home Finance Limited
(Formerly known as Aspire Home Finance
Corporation Limited)

...Petitioner

Versus

The State of Maharashtra,
District Magistrate Pune and Ors.

...Respondents

WITH

WRIT PETITION NO. 8690 OF 2025

Motilal Oswal Home Finance Limited
(Formerly known as Aspire Home Finance
Corporation Limited)

...Petitioner

Versus

The State of Maharashtra,
District Magistrate Pune and Ors.

...Respondents

Mr. Navin Arora for the Petitioner.

Mr. N.C. Walimbe, Addl.G.P. with Mr. V.G. Badgujar, AGP for the
Respondent-State in WP/5736/25, WP/5727/25, WP/5734/25 and
WP/5738/25.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. G.R. Raghuwanshi for the
Respondent-State in WP/5741/25, WP/6873/25, WP/6872/25 and
WP/8690/25.

CORAM : R.I. CHAGLA J
FARHAN P. DUBASH, J

DATE : 10 October 2025

ORDER :

1. The Writ Petitions have been placed for compliance pursuant to the order dated 4th July 2025. By the said order, this Court had directed the Respondents through Tahsildar to initiate action for repossession of the property and which restoration of possession shall be taken and given to the Petitioner within a period of 10 weeks from the date of the said order.

2. The learned Counsel for the Petitioner states that the repossession of the secured assets, which are subject matter of the above Writ Petitions other than Writ Petition No. 6872 and No. 6873 of 2025 have been taken by the Tahsildar and possession of the secured assets had been given to the Petitioner.

3. The learned AGP appearing for the Respondent – State has submitted that the repossession of the secured asset which is the subject matter in Writ Petition No. 6872 of 2025 could not be taken by the Tahsildar, in view of a settlement arrived at between the Petitioner and the Borrower.

4. The learned Counsel for the Petitioner in Writ Petition No. 6872 of 2025 states on instructions that the Petitioner is not pressing for repossession of the secured assets to be taken. Statement is accepted.

5. The learned AGP for the Respondent – State has sought for time to take repossession of the secured asset which is the subject matter of the Writ Petition No. 6873 of 2025.

6. Accordingly, the concerned Tahsildar shall take repossession of the secured asset, which is the subject matter of Writ Petition No. 6873 of 2025 within a period of four weeks from today.

7. Insofar as the secured asset, which is the subject matter of the Writ Petition No. 5734 of 2025, the learned Counsel for the Petitioner states that though repossession of the secured asset had been taken and given to the Petitioner, the Borrower had trespassed into the property. He has accordingly, sought for notice to be issued to the Borrower.

8. Accordingly, in Writ Petition No. 5734 of 2025 office

shall issue notice to the Borrower returnable on 18th November 2025. The particulars of the Borrower shall be provided to the office for issuance of notice.

9. The order dated 4th July 2025 passed in the remainder Writ Petitions have been complied with.

10. It is pertinent to note that the above Writ Petitions have been disposed of by order dated 4th July 2025.

11. Place Writ Petition No. 6873 of 2025 along with Writ Petition No. 5734 of 2025 on the returnable date, i.e. on 18th November 2025.

[FARHAN P. DUBASH, J.]

[R.I. CHAGLA J.]