

WRIT PETITION NO.8075 OF 2025

Tata Capital Housing Finance Limited ...Petitioner

The State of Maharashtra & Ors., ...Respondents

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

Ms. Reena A. Salunkhe, AGP for Respondent No.1.

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

DATED : 18th SEPTEMBER, 2025.

ORDER :

1. By this Writ Petition, the Petitioner has sought directions to Respondent Nos. 4 and 5 to take re-possession of the mortgaged property by removing Respondent Nos. 2 and 3 who are the trespassers who have trespassed in the mortgaged property of which possession had been taken by Respondent Nos. 4 and 5. The re-possession is required to be taken by Respondent Nos. 4 and 5 by

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breaking open the locks on the door of mortgaged property and also by removing any third party in occupation of the mortgaged property including Respondent Nos. 2 and 3.

2. The learned AGP appearing for Respondent Nos. 4 and 5 states on instructions that the Respondent Nos. 4 and 5 will take re-possession of the mortgaged property by removing any third party including Respondent Nos. 2 and 3 herein with the police assistance on or before 7th October, 2025. The statement is accepted.

3. In view of the above statement the Writ Petition is disposed of.

[FARHAN P. DUBASH, J.]

[R.I. CHAGLA, J.]