

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9201 OF 2025

Jana Small Finance Bank Ltd. ... Petitioner

Versus

The State of Maharashtra & Ors. ... Respondents

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Mr. Balasaheb S. Choure (through VC) for the Petitioner.
Mrs. Ashwini A. Purav, AGP for the Respondent-State.

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

DATED : **14th JULY, 2025.**

P.C. :

1. Heard learned counsel for the petitioner.
2. The petitioner is a secured creditor. The petitioner is seeking re-possession of the secured assets, in view of order dated 22.07.2023 under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, which the borrowers, namely, Shahaji Laxman Sapakal and Dipali Shahaji Sapakal have illegally trespassed. The petitioner received physical possession of the secured assets on 28.12.2023 by putting lock and seal thereon. It is alleged that the borrowers have broken the lock of the secured assets and taken forcible illegal possession and trespassed the property. The direction is sought to the respondent-authority to hand over the possession of the secured assets back to the petitioner.
3. In view of the decision of this Court in **Kotak Mahindra Bank Ltd. &**

Anr. Vs. State of Maharashtra & Ors. in Writ Petition No. 6805/23 decided on 30.06.2023, the petition will have to be allowed. The respondent-Tahsildar/Executive Magistrate, Maval is directed to take the possession of the secured assets within the period of eight weeks from today and hand over the same to the petitioner. The petitioner is willing to pay the necessary charges for the police protection. The in-charge of the concerned police station to ensure that adequate police protection is provided to take back the possession of the secured assets and to hand it over to the petitioner.

3. The petition is disposed of in the above terms.
4. List on **03.10.2025** for compliance.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)