

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10161 OF 2025**

Motilal Oswal Home Finance Ltd.	... Petitioner
V/s.	
The State of Maharashtra & Ors.	... Respondents

DINESH
SADANAND
SHERLA

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DINESH SADANAND
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Date: 2025.07.30
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Ms Aishwarya Ambre for the Petitioner.
Ms Kavita N. Solunke, AGP for the Respondent/State.

**CORAM : M.S. KARNIK &
N.R. BORKAR, J.J.
DATE : 30th JULY, 2025.**

P.C.

1. Heard learned counsel for the petitioner - Finance Company and the learned AGP for the respondent/State.

2. Learned counsel for the petitioner - Finance Company submits that the possession of secured assets, which was handed over to the petitioner - Finance Company in compliance of the order passed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ("SARFAESI Act" for short), has been trespassed by the borrowers.

3. In light of the law laid down by this Court in the case of **Kotak Mahindra Bank Ltd. & Anr. vs. State of Maharashtra & Ors.**¹, we have no hesitation in allowing the petition. The Tahsildar, Upper Pimpri Chinchwad, Pune is

¹ Writ Petition No. 6805 of 2023 decided on 30.06.2023

directed to take steps for restoring the possession of the secured assets to the petitioner- Finance Company within a period of 8 weeks from today.

4. The petitioner - Finance Company is willing to pay/deposit necessary charges towards police protection. If any police protection is required, the concerned Station House Officer shall provide the same.

5. With these directions, the Petition is disposed of.

6. Liberty to apply if this order is not complied with.

(N.R. BORKAR, J.)

(M.S. KARNIK, J.)