

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10161 OF 2025

Motilal Oswal Home Finance Ltd.

... Petitioner

Versus

The State of Maharashtra & Anr.

... Respondents

.....

Ms. Aishwarya Ambre for the Petitioner.

Ms. Kavita N. Solunke, AGP for the Respondent-State.

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

DATED : **07th AUGUST, 2025.**

P.C. :

1. Not on board. Upon mentioning taken on board.
2. Heard learned counsel for the petitioner and learned AGP.
3. It is submitted that incorrect submissions were made by the petitioner so far as the factual aspects are concerned. She submits that the issue was not of trespass but failure on the part of the Tahsildar, Pimpri-Chinchwad to take the possession due to non co-operation of the concerned authorities. In this view of the matter, the order dated 30.07.2025 stands recalled and set aside.
4. Heard learned counsel for the petitioner. It is the grievance that the order under Section 14 of the SARFAESI Act is not being implemented despite continuous follow up over the past one year. It is submitted that the petitioner-Financial Institution has not been able to obtain the physical possession of the secured asset only due to non co-operation on the part

of the concerned authorities.

5. We have heard learned AGP for the respondents. The Tahsildar, Pimpri-Chinchwad, Pune is directed to take physical possession of the secured assets in terms of the order passed under Section 14 of the SARFAESI Act within a period of six weeks from today. The petitioner is willing to pay the charges of the police protection. The in-charge of concerned police shall provide the police protection if required.

6. With these directions, the petition is disposed of.

7. Liberty to apply if the order is not complied with.

(N. R. BORKAR, J.)

(M. S. KARNIK, J.)