

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10484 OF 2025

HDFC Bank Ltd.

... Petitioner

Vs.

The State of Maharashtra & Ors.

... Respondents

Ms. Dipali M. Jadhav i/by SC Legal for the Petitioner.

Mr. A. A. Alaspurkar, AGP for Respondent No.1 to 4-State.

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

DATE : 04TH AUGUST 2025

P.C. :

1. Heard Learned Counsel for the Petitioner and Learned AGP for the Respondent-State.

2. Learned Counsel for the Petitioner submits that the secured assets, possession of which was handed over to the Petitioner on 10th April 2023 pursuant to the measures taken under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ("SARFAESI Act" for short), have been trespassed by the borrower.

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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 Respondent-Tahsildar, Ambernath is directed to take steps for restoring the possession of the secured assets to the Petitioner within a period of ten weeks from today.

4. The Petitioner 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.)

¹ Writ Petition No. 6805 of 2023 decided on 30.06.2023