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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

934 WRIT PETITION NO. 459 OF 2026

The Malkapur Urban Co Operative Bank Ltd
Through Its Authorized Officer

VERSUS

The State Of Maharashtra
Through Secretary And Others

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Mr. L.H. Kawale, Advocate h/f Mr. K.J. Suryawanshi, Advocate for
Petitioner

Mr. V.M. Kagne, AGP for Respondents No.1 to 3

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CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATE : 13 FEBRUARY, 2026

PER COURT :-

1. The present petition has been filed for following reliefs:

“B] by issuing writ of mandamus, orders or directions in the like nature, the respondent no.3 Tahsildar, Gangapur, dist. Aurangabad may kindly be directed to take possession of secured assets as per order dated 03.10.2022 passed by respondent No.2 in application no.263/2021 U/s. 14 of Securitization Act, 2002 and to give possession to the petitioner bank within stipulated period.”

2. Learned AGP waives service of notice for all the respondents and places on record a photocopy of the notice dated 02.01.2026, which is taken on record and marked as Exhibit ‘X-1’. He states that the date now fixed for handing over possession is 20.03.2026. In our view, the purpose of the petition stands satisfied.

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3. Learned advocate for the petitioner submits that even earlier also the notice was issued, but respondent No.3 has not taken the proceedings to the logical end.

4. We do not want to go into much facts of the case as to what happened in the past. The fact remains that now the date has been fixed. Further, in *Motilal Oswal Home Finance Limited Vs. State of Maharashtra and others* [Writ Petition No.11544 of 2025 decided on 26.11.2025], this Court had given guidelines and directions as to how the possession is required to be given by the Tahsildar. According to us, those guidelines are sufficient.

5. In view of the aforesaid observations, we dispose of the writ petition.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE