



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 WRIT PETITION NO. 1390 OF 2026

UNION BANK OF INDIA THROUGH ITS AUTHORIZED OFFICER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. A.A. Mishra, Advocate for petitioner

Mr. S.B. Narwade, AGP for State

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

DATE : 25th MARCH, 2026

ORDER :

. Heard learned Advocate for petitioner.

2 The present petition raises grievance pertaining to the dispossession of the property, which was lawfully handed over to the present petitioner in pursuance of the statutory order passed under the SARFAESI Act. He submits that the borrowers have, after the possession was lawfully handed over to petitioner, wrongfully dispossessed the petitioner by forcibly entering into the property. He submits that he has submitted an application to District Magistrate for restoration of possession, however, that application still has not been decided.

3 We have perused the copy of petition as well as the documents annexed therewith. We have already considered the issue of restoration of possession under the SARFAESI Act and have held that appropriate application before the competent authority under Section 14 of the SARFAESI Act is maintainable. This view has been expressly taken by us in **Motilal Oswal Home Finance Limited vs. The State of Maharashtra and others** in Writ Petition No.71 of 2026 decided on 06.01.2026. The petitioner has also submitted that after he was illegally dispossessed by the borrowers, he has already submitted an application to the District Magistrate / Collector, Chhatrapati Sambhajanagar.

4 In this light of the matter, we direct the petitioner to submit appropriate application under Section 14 of the SARFAESI Act before the Chief Judicial Magistrate, Chhatrapati Sambhajanagar, who has passed the earlier order under Section 14 of the SARFAESI Act.

5 Upon filing of such application, Chief Judicial Magistrate, Chhatrapati Sambhajanagar will decide the said application in accordance with directions given by us in **Motilal** (supra). Accordingly, the writ petition stands **disposed of**.

(HITEN S. VENEGAVKAR, J.)
agd

(SMT. VIBHA KANKANWADI, J.)