



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO. 2594 OF 2026**

**GANESH MANCHAKRAO GHODKE**

**VERSUS**

**SHREE CHHATRAPATI RAJARSHRI SHAHU URBAN CO OP  
BANK LTD. AND ORS.**

...

Mr. Sunil B. Kakde, Advocate for the Petitioner.

...

**CORAM : S. G. CHAPALGAONKAR, J.  
DATED : 10<sup>th</sup> MARCH, 2026.**

**P.C.:-**

1. The present Writ Petition takes exception to order dated 02.01.2026 passed by Additional Chief Judicial Magistrate, Beed in Criminal M.A. No.1039/1985.
2. The Chief Judicial Magistrate has passed order under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'SARFAESI Act') and directed to take physical possession of secured assets mentioned in application.
3. The learned Advocate appearing for petitioner submits that he has already approached Debt Recovery Tribunal and his application is posted on 13.03.2026.
4. In that view of matter, petitioner shall be at liberty to prosecute his remedy before appropriate Forum. However, it is well settled that action taken by Magistrate or District Magistrate

under Section 14 of SARFAESI Act is ministerial step and there is no element of quasi judicial function or application of mind for passing such order. This Court do not find any reason to entertain present writ petition, whereby challenge is raised to such order.

5. In result, Writ Petition stands disposed of with liberty in favour of petitioner to prosecute remedy as per law.

**(S. G. CHAPALGAONKAR)**  
**JUDGE**

Devendra/March-2026