

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1595 OF 2025**

Canara Bank	...	Petitioner
vs.		
The District Magistrate, Silvassa	...	Respondent

Adv C. M. Jadhav, i/b. S. C. Legal for petitioner.

Dr. Sanjay Jain a/w. Mr. Harsh Dedhia for respondent.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ**

DATE : 20th FEBRUARY, 2026

P.C. :

1. By this petition, the petitioner-bank is seeking specific direction for prompt disposal of its application filed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Securitisation Act). The application was filed as far back as on 28.11.2023 and shockingly, it remains pending even today.

2. This is clearly in the teeth of the guidelines issued by an order dated 17.04.2023 passed by a Division Bench of this Court in Writ Petition No.15285 of 2022 [L & T Finance Limited vs. The State of Maharashtra and others] (hereinafter referred to as the said order).

3. The operative portion of the said order reads as follows:

“18. Thus, we dispose of this writ petitions directing as follows:

(a) The Application filed by a Secured creditor under section 14 of the SARFAESI Act with due compliance (the Application) should be disposed of by the District Magistrate/

Collector in the State of Maharashtra not later than 30 days of the Application is filed.

- (b) Every order (Order) passed by the District Collector under section 14 of the SARFAESI Act should be implemented and executed not later than four weeks of the passing of the Order.
- (c) If the officers entrusted with implementation of the Order are engaged in other pressing public duties, the option of appointing an advocate to implement the Order be explored within the parameters of the law. The same option can also be considered by the Judicial Magistrate, if so permissible in law.
- (d) The District Magistrates/ Collectors shall submit a report giving the details of the Applications which have not been disposed of within thirty days or any Order which has not been implemented within thirty days with reasons thereof to the Divisional Commissioner in the first week of each month.
- (e) Any party whose Application is not disposed of within sixty days of its filing or the Order has not been implemented within sixty days of passing it, may make representation to the Divisional Commissioner who shall within 15 days of receipt of the representation consider the representation and after satisfying that there is a no justifiable reason, will pass appropriate directions to ensure that the Application is disposed off or the Order is implemented within fifteen days of the direction.
- (f) Each District Magistrate/Collector shall maintain proper details and records of the filing of the Applications, the disposal thereof, the implementation of the Orders and submit monthly statistics in that regard to the Divisional Commissioner on or before the seventh day of the following month in the specified format of submissions.

- (g) The State Government will take steps to implement an e-system placing information on an online platform regarding the Applications, such as the date of filing of the Application, the date of passing the Order on the Application, and the date of implementation of the Order, on an online platform. The same shall be done within a period of sixteen weeks from today.
- (h) The High Court Administration would consider issuing necessary directions to the Chief Metropolitan Magistrate to take a special drive for the disposal of pending Applications under section 14 of the SARFAESI Act.
- (i) The High Court Administration would consider creating a separate category in the Case Information System software for the Applications under Section 14 of the SARFAESI Act so that these cases can be identified for the special drive.”

4. The fact that the application filed by the petitioner-bank in the present case, under Section 14 of the Securitisation Act, remaining pending for more than 2 years, is clearly in the teeth of the above-quoted guidelines and therefore, we direct the respondent-Magistrate to immediately take up the application filed by the petitioner-bank and to dispose of the same within 30 days from today. It is made clear that the above-quoted directions contained in the said order, insofar as clause (e) is concerned, shall apply in terms of hierarchy of administration of Dadra and Nagar Haveli and Daman and Diu, meaning thereby that instead of ‘Divisional Commissioner’, the direction in clause (e) shall be read as an opportunity to make representation to the ‘administrator’.

5. Considering the fact that a number of such petitions are filed before this Court, wherein the applications filed under Section 14 of

the Securitisation Act have remained pending without orders for considerable periods of time, it is directed that the administration of Dadra and Nagar Haveli and Daman and Diu, shall ensure that a copy of the said order dated 17.04.2023 passed by this Court in Writ Petition No.15285 of 2022, is circulated amongst all the Collectors/Magistrates for better administration in future.

6. At this stage, Mr. Jain, learned counsel appearing for the respondent, informs this Court that the number of such petitions filed under Section 14 of the Securitisation Act in Dadra and Nagar Haveli and Daman and Diu, is not considerable and therefore, this Court may consider deleting clause (g) of the guidelines quoted hereinabove. It is submitted that since the number of applications is manageable, it may not be necessary to maintain an online platform.

7. Considering the aforesaid fact brought to our notice, it is further made clear that the guidelines contained in clause (g) of the said order, shall not be insisted upon as regards Dadra and Nagar Haveli and Daman and Diu.

8. The petition is disposed of accordingly.

(SHREERAM V. SHIRSAT, J)

(MANISH PITALE, J.)