

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3190 OF 2026

Tata Capital Housing Finance Ltd .. Petitioner
Throu. Sameesh Sahadevan

V/s.

The State of Maharashtra Throu. Govt .. Respondent
Pleader

Mr. Nikhil Mehta, i/b KMC Legal Venture, for the Petitioner.

Ms. P. M. J. Deshpande, AGP for the Respondent/State.

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

DATE : 13TH MARCH 2026.

PC:

1. By this petition, the petitioner (secured creditor) is seeking limited relief of a direction that its application filed before the competent Chief Judicial Magistrate of Thane, under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act), may be decided at the earliest.

2. The sole respondent is the State of Maharashtra represented by the learned AGP.

3. We are of the opinion that such applications, wherein the Magistrate, as per settled law, performs only a ministerial act, ought to be considered and decided at the earliest.

4. In fact, in the case of *L & T Finance Limited versus State of Maharashtra and Ors* [(2023) SCC OnLine Bom 931], a Division Bench of this Court gave elaborate directions as guidelines for the Magistrates to consider and dispose of such applications at the earliest. The first direction given therein mandates that the Magistrate shall decide such applications not later than 30 days of filing of the application.

5. In view of the above, we direct the Chief Judicial Magistrate at Thane before whom the application filed by the petitioner under Section 14 of the SARFAESI Act is pending, to forthwith take up the application and dispose of the same at the earliest and in any case within 30 days of the date of this order.

6. The writ petition is disposed of with the above directions. Pending applications, if any, also stand disposed of.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)