

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3935 OF 2026

Union Bank Of India .. Petitioner
V/S.
State of Maharashtra .. Respondent

Mr. Nainesh Amin, for the Petitioner

Mr. O.A. Chandurkar, Addl. G.P. with Ms. G.R. Raghuwanshi, AGP, for Respondent/State.

Mr. Amol Nikam (VC), Tahsildar, Nashik, Present.

Mr. Sanjiv Fulpagar (VC), Police Inspector, Nashik, Present.

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

DATE : 24TH APRIL 2026.

PC:

1. By order dated 2nd April 2026, this Court had issued directions to respondent No.5-Tahsildar, Nashik to take physical possession of the secured asset on 21/04/2026 for which respondent No.4-Senior Inspector of Police, Upnagar Police Station, Nashik City was directed to provide appropriate police assistance.

2. Learned counsel for the petitioner (secured creditor) submits that the directions issued by this Court could not be complied with. It is stated that although respondent No.4- Senior Inspector of Police, Upnagar Police Station, Nashik City had ensured that appropriate police assistance was provided, respondent No.5-Tahsildar did not

comply with the directions issued by this Court on the specious ground that there was a shortage of staff in his office.

3. It is reported that there was strike and hence adequate staff was not available with the Tahsildar to execute the directions issued by this Court.

4. We are unable to accept the explanation given on behalf of respondent No.5-Tahsildar for the reason that we had indicated that if there is non-compliance, the Tahsildar will have to remain personally present in this Court. The Tahsildar should have personally taken interest, shortage of staff or no, to ensure that the directions issued by this Court in the order dated 2nd April 2026 were complied with. Obviously, the Tahsildar has not shown expected compliance.

5. We are told that the Tahsildar has joined the proceeding through VC. He should have remained personally present to explain as to why there was non-compliance.

6. Be that as it may, on a fervent plea made by the learned AGP on behalf of respondent No.5-Tahsildar, we are inclined to accept the request made in that regard.

7. It is stated that if this Court permits, necessary action will be taken tomorrow to take physical possession of secured asset and it shall be handed over to the petitioner (secured creditor).

8. In view of the above, as a matter of last chance, respondent No.5-Tahsildar is granted time till tomorrow to comply with the direction contained in the order dated 2nd April 2026. The said respondent shall

ensure that physical possession of the secured asset is taken and handed over to the petitioner (secured creditor) by tomorrow i.e. 25/04/2026.

9. We take note of the fact that respondent No.4- Senior Inspector of Police, Upnagar Police Station, Nashik City also appears to have joined the proceedings through Video Conferencing. Since he had ensured that police assistance was provided even on 21/04/2026, he shall further ensure that such adequate police assistance, as indicated in Paragraph 9 of the order dated 2nd April 2026, is provided to respondent No.5-Tahsildar, when the aforementioned directions are executed tomorrow (25/04/2026).

11. List the petition under the caption 'for compliance' in the supplementary list on 28th April 2026.

12. We make it clear that if there is non-compliance with the directions issued in the order passed today, we will take a serious view in the matter.

13. Needless to say, in case of non-compliance respondent Nos. 4 and 5 shall remain personally present in this Court on the next date of listing.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)