

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9069 OF 2025**

Bank of India ... Petitioner
vs.
Maharana Electricals Pvt. Ltd. and others ... Respondents

Adv Das Oyesteem Aroga for petitioner-bank.
Smt. A. A. Puray, AGP for respondent Nos.4 to 6.

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

DATE : 19th JANUARY, 2026

P.C. :

1. We find shocking state of affairs in this petition. The petitioner-bank complains that despite earlier writ petition bearing No.12813 of 2024 being allowed and respondent No.3 being directed to handover possession of the subject property to the petitioner-bank in terms of an order passed by the competent authority under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Securitisation Act), and a *panchanama* being drawn on 09.04.2025, still the said respondent has again encroached upon the property on 15.04.2025.

2. We find that a number of such petitions are being filed in this Court, virtually reducing this Court into an execution Court for the orders passed by Magistrates under Section 14 of the Securitisation Act.

3. Therefore, we request the learned AGP to take instructions in the matter from respondent No.5 and to report to this Court as to the

present state of affairs with regard to the possession of the subject property.

4. Since the order is already passed by the competent Magistrate under Section 14 of the Securitisation Act, we direct that respondent No.5 shall take all necessary steps to handover possession of the subject property to the petitioner-bank before the next date of listing.

5. The learned AGP assures this Court that a copy of this order shall be forwarded to respondent No.5 at the earliest.

6. List for compliance on 03.02.2026, High on Board.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)

Priya Kambl