

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

Bank of India ... Petitioner
Versus
Maharana Electricals Pvt. Ltd. & Ors. ... Respondents

Mr. O. A. Das for the Petitioner.
Mrs. Ashwini A. Purav, AGP for Respondent Nos.4 to 6-State.

**CORAM : MANISH PITALE AND
SHREERAM V. SHIRSAT, JJ.
DATE : 17th FEBRUARY 2026**

P.C. :

. In this petition, on 19th January 2026, this Court had passed the following order :

“ 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.”

2. The learned counsel for the petitioner-bank (secured creditor) submits that despite the specific directions contained in the above quoted order of this Court, no steps were taken for handing over the possession to the petitioner-bank till 3rd February 2026, due to which the petitioner-bank was constrained to send a notice through its Advocate to the respondent No.5-Senior Police Inspector of Ravet Police Station, Pimpri-Chinchwad, Pune. Despite the said notice, till date, no steps were taken to comply with the order of this Court.

3. The learned AGP submits that time of four weeks may be granted for showing compliance. It is to be noted that in the order dated 19th January 2026, sufficient time was granted till 3rd February 2026 to comply with the directions of this Court. Therefore, the request made on instructions by the learned AGP deserves to be rejected.

4. We find that if the rule of law is to be respected, orders passed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Securitisation Act) by the competent Magistrate have to be executed promptly. In the present case, the possession of the

secured asset was earlier taken and handed over to the petitioner-bank twice and repeatedly there was encroachment by the original borrowers. This is a shocking state of affairs and therefore, in this backdrop, the concerned authority of the State must act with promptitude to comply with the directions of this Court.

5. To avoid any further confusion in the matter, we are treating respondent No.4-Government/State of Maharashtra, as represented through Naib Tehsildar, Pimpri-Chinchwad, Taluka Havel, Dist. Pune. The said officer is specifically directed to ensure that possession of the secured asset is physically taken and handed over to the petitioner-bank on or before 4th March 2026. No further time shall be granted. Respondent No.5 i.e. Senior Police Inspector, Ravet Police Station, Pimpri-Chinchwad, Dist. Pune, is directed to provide adequate police assistance to the Naib Tehsildar, Pimpri-Chinchwad, Taluka Haveli, Dist. Pune, to execute the aforesaid direction issued by this Court.

6. It is made clear that in the event, the direction issued hereinabove is not complied, both the Naib Tehsildar, Pimpri-Chinchwad, Taluka Haveli, Dist. Pune and the Senior Police Inspector, Ravet Police Station, Pimpri-Chinchwad, Dist. Pune, shall remain personally present in the Court on the next date of listing.

7. List on 5th March 2026 under the caption 'for compliance'.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)