

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13729 OF 2025

ICICI Home Finance Company Limited and another ... Petitioners
Vs.
State of Maharashtra and others ... Respondents

Mr. Nikhil Rajani i/b. V. Deshpande and Company for Petitioners.

Ms. M. S. Bane, AGP for Respondent Nos.1 and 2-State.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**
DATE : APRIL 06, 2026

P.C. :

. On 16.02.2026, this Court had disposed of the writ petition in the following manner:-

“4. Hence, we are inclined to allow this petition by issuing appropriate directions to the respondent - State authorities.

5. In view of the above, writ petition is disposed of by directing the respondent No.2 to fix a fresh date for executing the order dated 31.01.2025, passed by the respondent No.1 - Magistrate.

6. Upon fixing the date, the respondent No.2 - Tahsildar shall approach the respondent No.4 i.e. the Senior Inspector attached to Pimpri - Chinchwad Police Station for providing appropriate police force and police assistance for execution of the order. The respondent No.4 shall provide such police assistance for execution of the order.

7. The order shall be duly executed so that the petitioners are put in physical possession of the subject property. The entire exercise shall, in any case, be carried out within four weeks from today.

8. List the writ petition for compliance on 25.03.2026 under the caption ‘for compliance’.

9. Pending applications, if any, stand disposed of.”

2. Respondent No.2 Tahsildar was obviously expected to fix a date for taking possession and to execute the said directions issued by this Court.

3. Mr. Rajani, learned counsel for the petitioners tendered copy of a notice dated 18.02.2026 issued by the respondent No.2 Tahsildar in pursuance of the said order passed by this Court, fixing the date of taking possession of secured asset as 06.03.2026. The learned counsel for the petitioner, on instructions, submits that the directions issued by this Court are not complied with and that the Tahsildar failed to take physical possession of the secured asset to be handed over to the petitioner No.1 (secured creditor).

4. In view of the above, since the directions issued by this Court have not been complied with, we are constrained to issue the following directions:-

- a. Respondent No.2 Tahsildar shall now fix the date for taking physical possession of the secured asset as 16.04.2026;
- b. Senior Police Inspector of the concerned police station shall provide appropriate police assistance to respondent No.2 Tahsildar to comply with the aforesaid direction;
- c. Adequate number of police personnel, including lady constables shall be made available and the police shall use reasonable, proportionate and necessary police force to ensure that physical possession of the secured asset is taken and handed over to the petitioner No.1;

5. We make it clear that if the aforesaid directions are not complied with, respondent No.2 Tahsildar, Loni Kalbhor, Pune and Senior Inspector of Police attached to the concerned police station shall remain personally in this Court on the next date of listing.

6. List under the caption 'for compliance' on 17.04.2026.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)

Minal Parab