

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3726 OF 2026

Jana Small Finance Bank Ltd. ... Petitioner
Versus
The State of Maharashtra & Ors. ... Respondents

Mr. B. S. Choure (through V.C.) for the Petitioner.
Ms. Pooja Patil, AGP for Respondent-State.

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

DATE : 2nd APRIL 2026

P.C. :

. The petitioner-bank is a secured creditor, aggrieved by the fact that after possession of secured asset was taken, the borrowers trespassed into the same. In pursuance of an order 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 on 17th May 2023, possession of the secured asset was taken on 15th October 2024.

2. But, thereafter, the borrowers again trespassed into the same, as a consequence of which, on 8th December 2025, the petitioner was constrained to approach the concerned Police Station, as well as the competent Magistrate, seeking repossession.

It is submitted that, till date, the petitioner-bank is struggling for getting possession of the secured asset.

3. We find that such acts of the borrowers are making a mockery of the rule of law and the petitioner-bank, which is a secured creditor, is frustrated in its attempts to take action under the provisions of the Securitisation Act.

4. The learned AGP, on instructions, submits that the respondent No.3-Tehsildar has fixed 16th April 2026 as the next date for taking possession of the secured asset.

5. Hence, we direct respondent No.3-Tehsildar, Sinnar, Dist. Nashik, to take all necessary steps for taking physical possession of the secured asset to be handed over to the petitioner-bank on 16th April 2026. The Senior Police Inspector, Sinnar Police Station, Dist. Nashik, is directed to provide sufficient police assistance to the respondent No.3-Tehsildar, including providing lady constables, the police shall use adequate, reasonable and necessary force to take possession of the secured asset. It is made clear that if the directions issued by this Court are not complied with, respondent No.3-Tehsildar, Sinnar, Dist. Nashik and the Senior Police Inspector of Sinnar Police Station, Dist. Nashik, shall remain personally present in this Court, on the next date of listing.

6. List on 21st April 2026, under the caption 'for compliance'.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)