

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4222 OF 2026

Capri Global Capital Ltd Thr Its .. Petitioner
Authorized Officer

V/s.

Chief Judicial Magistrate Pune And .. Respondents
Ors

Mr. Nilesh Mandavkar i/by Anjana Kamal Mishra, for Petitioner.
Ms. P.M.J. Deshpande, AGP, for Respondent Nos. 2 and 3.

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**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**
DATE : 6TH APRIL 2026.

PC:

1. Heard learned counsel for the Petitioner and learned AGP for respondents/State Authorities.
2. By this Petition, the Petitioner (secured creditor) is seeking specific directions for appropriate police assistance to be provided to the Court Commissioner for taking physical possession of the secured assets.
3. By an order dated 21/07/2025 passed under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, the Chief Judicial Magistrate, Pune, appointed Court Commissioner for taking physical possession of the

secured assets.

4. It is brought to our notice that in pursuance of the said order dated 21/07/2025, three times attempts were made for taking physical possession of the secured assets, but the attempts failed because appropriate police assistance was not provided to the Court Commissioner.

5. It is further brought to our notice that now the date for taking physical possession of the secured assets is fixed as 09/04/2026. The respondent No. 2, the Superintendent of Police, Pune has issued appropriate directions to the concerned police station on 03/04/2026 for providing police assistance. But, in the light of the earlier experiences, the Petitioner is constrained to approach this Court for appropriate directions.

6. We are of the opinion that in such cases when the secured creditor is seeking execution of the orders passed by the competent Magistrate under provisions of the Securitisation Act, such orders should be executed with promptitude. In case of failure to do so, it violates the rule of law and enures to the benefit of the defaulters.

7. In view of the above, we direct the respondent No.3 i.e. Senior Inspector of Police, Saswad Police Station, Pune Rural to provide appropriate police assistance to the Court Commissioner who is to take physical possession of the secured assets on 09/04/2026.

8. The police force shall be adequate and it shall include lady constables. The police force shall apply reasonable, adequate and necessary force for taking physical possession of the secured assets to be handed over to Petitioner (secured creditor) on 09/04/2026.

9. In the light of the fact that on three earlier occasions physical

possession could not be taken due to lack of police assistance, we direct respondent No.3, Senior Inspector of Police Station, Saswad Police Station, Pune Rural to take appropriate steps in the matter.

10. It is made clear that if the directions given herein above are not complied with, on the next date of listing, Senior Inspector of Police Station, Saswad Police Station, Pune Rural shall remain personally present in this Court.

11. List for further consideration on 16th April 2026, under the caption for compliance.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)