

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5958 OF 2026

Axis Bank Limited ... Petitioner
Vs.
Registrar, Chief Judicial Magistrate at Esplanade ... Respondent

Mr. Alok Mishra a/w. Ms. Juilee Modak and Ms. Anjali Nair for Petitioner.
None for Respondent.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**
DATE : MAY 05, 2026

P.C. :

. The petitioner (secured creditor) has approached this Court with a limited grievance that although the concerned Magistrate has passed an order dated 27.01.2026, allowing an application filed by the petitioner under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'Securitisation Act'), the consequent Writ of Commission is still not issued.

2. We find that the failure to issue Writ of Commission frustrates the whole purpose of such an order passed on 27.01.2026.

3. As per paragraph 23(b) of the judgement of this Court in the case of *L & T Finance Limited Vs. State of Maharashtra*, **2023 SCC OnLine Bom.931**, an order passed under Section 14 of the Securitisation Act is required to be implemented and executed not later than four weeks of passing of such order. Unless the Writ of Commission in terms of the said order is issued, it would not be executed and this is clearly in the teeth of the aforesaid direction issued by this Court.

4. In view of the above, the respondent i.e. Registrar of the Court of Chief Judicial Magistrate, Esplanade, Mumbai is directed to issue a Writ of Commission in terms of the order dated 27.01.2026 passed by the Magistrate, within one week from today.

5. The writ petition is disposed of.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)

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