

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 4722 OF 2025

The Mogaveera Co-operative Bank LtdPetitioner
V/S
The State Of Maharashtra & Ors.Respondents

Adv. Dipali M. Jadhav i/b. SC Legal for the Petitioner.
Ms. Varsha Sawant, AGP for the Respondent-State
Mr. Sanjay Rane, PSI, Pawai Police station present.

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

DATE: 9th FEBRUARY 2026

P.C.

1. Heard learned Counsel for the Petitioner-Co-operative Bank. By this Petition, the Petitioner is seeking limited direction for the Respondent-State and its authorities to assist the Respondent No. 3-Court Commissioner to execute order dated 23/05/2023 passed by the Respondent No. 2-Chief Metropolitan Magistrate u/s. 14 of the Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

2. The learned AGP appearing for the Respondent-State makes a statement that police assistance would be provided to the Court Commissioner and that she has specific instructions with regard to the same. Mr. Sanjay Rane, PSI, Pawai Police station is present in the Court.

3. Considering the fact that the Respondent No. 2-Magistrate passed the order almost 3 years ago, we find it appropriate to direct the concerned Respondents to take immediate steps for execution of the said order. Keeping such orders in abeyance and failure on the part of the Respondent-State authorities to assist banks and financial institutions like the Petitioner-Co-operative Bank is against the Rule of law.
4. In view of the above, Respondent Nos. 1 & 4 are directed to provide proper police assistance to the Respondent No. 3-Court Commissioner, including providing women police force if necessary, to execute the order dated 23/05/2023 passed by the Respondent No. 2-Magistrate.
5. The order shall be executed and possession of the secured asset shall be handed over to the Petitioner on or before 18/02/2026.
6. The Writ Petition is disposed of.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)