

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.10089 OF 2026

Gayatri Girish Jariwala ... Petitioner
Vs.
State Bank of India and another ... Respondents

Mr. Gaurish N. Satpute a/w. Mr. Dinesh Kadam for Petitioner.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**
DATE : APRIL 02, 2026

P.C. :

- . Heard Mr. Satpute, learned counsel for the petitioner.
2. Although diverse claims have been made in this writ petition, the essential grievance of the petitioner is that she is in possession of the subject property in respect of which the Competent Magistrate has passed an order under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (for short 'Securitisation Act') at the behest of respondent No.1 Bank.
3. The said respondent has undertaken steps under the provisions of the Securitisation Act against the respondent No.2 being the borrower in accordance with the provisions of the said Act culminating in the order passed by the Competent Authority under Section 14 thereof.
4. If the petitioner is aggrieved in any manner by the said action taken by the respondent No.1 Bank under the provisions of the Securitisation Act, she is at liberty to invoke the statutory remedy available under the Securitisation Act.

5. The Supreme Court in a number of judgements, including judgement in the case of *United Bank of India Vs. Satyawati Tandon and others*, **(2010) 8 SCC 110** and *Celir LLP Vs. Bafna Motors (Mumbai) Private Limited and others*, **(2024) 2 SCC 1**, has held that the High Court exercising writ jurisdiction ought not to entertain writ petitions and that the aggrieved party must be relegated to the statutory remedies available under the Securitisation Act.

6. As a matter of fact, in paragraphs 42 to 45 of the judgement in the case of **United Bank of India Vs. Satyawati Tandon** (*supra*), the Supreme Court has specifically made observations to that effect. In paragraph 101 of the judgement of the Supreme Court in the case of **Celir LLP Vs. Bafna Motors (Mumbai) Private Limited and others** (*supra*), the Supreme Court was constrained to make the following observations:-

“**101.** More than a decade back, this Court had expressed serious concern despite its repeated pronouncements in regard to the High Courts ignoring the availability of statutory remedies under the RDBFI Act and the SARFAESI Act and exercise of jurisdiction under Article 226 of the Constitution. Even after, the decision of this Court in Satyawati Tandon, it appears that the High Courts have continued to exercise its writ jurisdiction under Article 226 ignoring the statutory remedies under the RDBFI Act and the SARFAESI Act.”

7. In view of the above, it is obvious that the present writ petition cannot be entertained. Accordingly, the writ petition is dismissed. However, the petitioner is at liberty to take recourse to the statutory remedy available under the provisions of the Securitisation Act.

8. It is made clear that this Court has not made any observations on the merits of the matter. Pending applications, if any, stand disposed of.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)