



MHSO030047192026

IN THE COURT OF THE CHIEF JUDICIAL MAGISTRATE, SOLAPUR
(PRESIDED OVER BY Shri. Sunil S. Shinde)

CRI. M.A. No.708/2026

Bank of Baroda		Applicant
Versus		
Devaki Dinesh Rajgiri		Opponents

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Ld. Advocate S. P. Sapar for applicant.

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ORDER BELOW EXH.1
(Dated 01/07/2026)

The applicant has filed this application under section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (in short “the SARFAESI Act”) for taking possession of all the piece and parcel of property bearing ‘(A) District and Sub District Solapur, Tal. North Solapur within the limits of SMC, Majrewadi, Old Survey No.238/2/6 and 7, New Survey No.33/2/6 and 7, Plot No.75, Block No.01, Ground Floor, Carpet area 34.38 sq.mtrs., Plumeria Rosea, Tanishq Nagar, Majrewadi, Solapur and (B) District and Sub District Solapur, Tal. North Solapur, Dist. Solapur within the limits of SMC, Majrewadi, Old Survey No.238/2/6 and 7, New Survey No.33/2/6 and 7, Plot No.75, Block No.04, First Floor, carpet area 35.26 sq.mtrs., Plumeria Rosea, Tanishq Nagar, Majrewadi, Solapur is more particularly described at Exh.1 in the application’ (hereinafter referred to as “the secured assets”).

2) Heard the learned advocate for the applicant. Perused the application, affidavit and documents on record.

3) From the affidavit and verified documents filed by the applicant, it is palpably clear that the applicant had sanctioned **Loan Rs.24,97,500/- on 30/07/2021 and Loan of Rs.7,08,000/- on 22/09/2022** to the Opponents. Thus, Opponents have executed Security Agreement of the secured asset with a view to secure repayment of the said loan. It further goes to show that they have made default in repayment of the amount of loan, and therefore, **on 11/05/2025** his loan account was classified as Non Performing asset. On **13/05/2025**, the applicant had called upon Opponents to pay the total sum of **Rs.29,28,189.43/-** including interest till debt by issuing them 60 days notice as provided under section 13(2) of the SARFAESI Act and notice was served to the opponents. However, Opponents neither raised any objection by replying the said notice nor repaid the amount within the stipulated time. From the affidavit, it is clear that the sum of **Rs.29,28,189.43/-** with future interest was due from the Opponents as on 13/05/2025.

4) From the affidavit filed by the Authorized Officer of the applicant, it is luculent that the secured asset is not in possession. It has been also stated therein that no stay order has been passed by any authority in respect of the secured asset.

5) The affidavit, which is filed by the authorized officer of the applicant has all basic requirements necessary for granting delivery of possession of the secured asset. The applicant has thus, substantially complied with conditions stipulated under newly introduced proviso to section 14(1) of the SARFAESI Act. The secured asset is situated within the territorial jurisdiction of this Court. The claim of the applicant is within limitation. So, I hold that the applicant is entitled to take possession of the secured asset. Hence, the order :-

ORDER

1. The application is allowed.
2. **Adv. Manoja Shashikant Joshi** is appointed as a Court Commissioner to take possession of the secured asset viz. **‘(A) District and Sub District Solapur, Tal. North Solapur within the limits of SMC, Majrewadi, Old Survey No.238/2/6 and 7, New Survey No.33/2/6 and 7, Plot No.75, Block No.01, Ground Floor, Carpet area 34.38 sq.mtrs., Plumeria Rosea, Tanishq Nagar, Majrewadi, Solapur is more particularly described at Exh.1 in the application’.**
3. **Adv. Wahid Kayyum Patel** is appointed as a Court Commissioner to take possession of the secured asset viz. **(B) District and Sub District Solapur, Tal. North Solapur, Dist. Solapur within the limits of SMC, Majrewadi, Old Survey No.238/2/6 and 7, New Survey No.33/2/6 and 7, Plot No.75, Block No.04, First Floor, carpet area 35.26 sq.mtrs., Plumeria Rosea, Tanishq Nagar, Majrewadi, Solapur is more particularly described at Exh.1 in the application’.**
4. Ld. Court Commissioners are authorized to take such steps and use such force including breaking open the lock or any hurdle thereof by taking assistance of police, if required, at the expenses of the applicant and deliver possession thereof along with documents/articles, if any, found therein to the authorized officer of the applicant after preparing panchanama and taking inventory of the secured assets.
5. Ld. Court Commissioners shall give at least 15 day's prior notice to the concerned before executing the order.
6. Ld. Court Commissioners shall report compliance within one month from the receipt of the writ of commission.
7. Issue writ of commission accordingly on payment of **Rs.12,500/-** towards the Court commissioner's fee for each commission in the Court within 15 days from the date of this order. After submission of compliance report, it shall be paid to the concerned **Court Commissioner.**

Sd/-

(**Sunil S. Shinde**)

Date : 01/07/2026

Chief Judicial Magistrate, Solapur

CERTIFICATE

I affirm that the contents of this PDF file order are same word to word as per the original Judgment/ Order.

- (a) Name of the Stenographer : Naresh Narayan Kanaki (Grade-II)
(b) Court : Chief Judicial Magistrate
(Court No.1) Solapur.
(c) Order signed by PO. on : 01/07/2026
(d) Order uploaded on : 01/07/2026