



Order below Exh.1 in Cri. M. A. No.958/2025
(Muthoot Homefin India Limited Vs. Amol Prakash Khare)

1] By the present application, the applicant company has sought for assistance for possession as per section 14 of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (the said Act).

2] The non-applicants approached to the applicant company for loan. Accordingly, applicant company sanctioned loan facilities of Rs.8,10,656/- dated 22/11/2022. Then the necessary documents were made. The non-applicants gave mortgage of the property mentioned in prayer clause of the application. The non-applicants did not maintain the account properly and their account was declared as NPA on 30/08/2024.

3] The company issued demand notice dated 14/10/2024 under Section 13(2) of the said Act to borrower demanding outstanding amount Rs.8,46,377/- as on 31/10/2024 alongwith further interests till realization. The demand notice served and published in news paper in English “The Free Press Journal” and Marathi news paper “Navshakti” dated 26/10/2024. The non-applicants failed to pay the amount as per the demand notice as well as failed to file any objection to the said notices to the applicant. So the applicant is entitled to take possession of the mortgage property.

Thus, no need to reject. Hence, I proceed to pass following order.

ORDER

1. The applicant company to take possession of property- All that piece and parcel of Flat No.01, admeasuring built up area 28.65 square meters in A wing on Ground Floor in the scheme known as, "Pavnar Sahakari Gruh Nirman Sanstha" constructed on Plot No. 21, 22 and 23, Gut No.174, situated at village-Tisgaon, Tq. & Dist. Aurangabad, within the jurisdiction of Cidco Waluj Mahanagar-1, Aurangabad and within the registration limits of Sub-registrar Aurangabad-5 and bounded as follows- on or towards East-Flat No.2 A wing, on or towards West-Flat No.1 B wing, on or towards South-Side margin, on or towards North-Parking by taking such steps and using such force as may be legally necessary
2. The Court Commissioner Adv. Abhijit S. Londhe is hereby appointed to take and assist to take possession of the mortgage property to applicant. The Court Commissioner shall take the possession of the mortgage property by taking all appropriate steps, if the mortgage property is locked, then by breaking the lock by following procedure.
3. The In charge Police Officer of concerned Police Station, within whose jurisdiction the property is situated directed to provide necessary police protection for the execution of the aforesaid possession warrant at the costs of the applicant company.
4. The applicant company shall have to bear the requisite Court Commissioner fees i.e. 10,000/- (Rs. Ten Thousand only) as per rule.
5. The compliance of the order be reported within 90 days of the receipt of this order.
6. Issue writ accordingly.

(Smt. V. J. Kore)

Addl. Chief Judicial Magistrate,
Aurangabad.

Date: 24.06.2025.

CERTIFICATE

I affirm that the contents of this PDF file Judgment are same, word to word, as per the original judgment.

Name of the Stenographer	:	Syed Haroon.
Court	:	Addl. C.J.M. & Jt. Civil Judge S. D. Court, Aurangabad.
Judgment date	:	24.06.2025.
Judgment signed by the Presiding Officer on	:	24.06.2025.
Judgment uploaded on	:	24.06.2025.