MHAU030108972026	**Cri. M. A. No.1597/2026** Muthoot Housing Finance Company Ltd. **Vs.** Sachin Narayan Pakhare and Others CNR No. MHAU030108972026

ORDER PASSED BELOW EXH- 01

The applicant Muthoot Housing Finance Company Limited has filed this application for seeking assistance for taking possession as per section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (the said Act).

2) The non-applicant no.1 had approached the applicant for loan. Accordingly, applicant sanctioned loan of Rs.8,37,685/- and issued to the non applicant. Thereafter, necessary documents were executed. The non-applicants had executed mortgage deed of the property mentioned in the prayer clause (a) of the application as security for the said loan transaction. Therefore, the applicant was a secured creditor. It is the claim of the applicant that the non-applicants did not maintain the account properly and therefore, their account is declared as NPA on 08.11.2025.

3) It is further the claim of the applicant that, it issued demand notice dated 13.11.2025 under Section 13(2) of the said Act to the non applicants demanding outstanding amount total Rs.4,65,432/- along with further interests till realization. The notice was served on the non applicants, but they failed to pay the amount as per the demand notice as well as failed to file any objection. As on 13.11.2025 the applicant was entitled to recover a sum of Rs.4,65,432/- from the non applicants. Therefore, the applicant initiated further measures under Section 13(4) of the said Act.

4) In the present matter the immovable property is situated at village Apatgaon, Taluka and District Aurangabad. Therefore, the secured asset is within the jurisdiction of this Court. On perusal of the documents filed by the applicant, it appears that the loan account of the non applicants was declared as a Non Performing Asset on 08.11.2025. It further appears that, thereafter, notice was sent to the non applicants under section 13(2) of the said Act on 13.11.2025 inspite of service of notice, non applicant did not raise any objection nor filed any reply to the same notice. Contents of the demand notice under Sec.13(2) of the said Act were also published in daily newspaper namely Loksatta and Business Standard on dt. 26.11.2025. The applicant submits that the opponent have neither responded nor paid the amount due to the applicant. The applicant has therefore become entitled to take physical possession of the secured assets of the opponent, as per the details given in the Schedule here under and also to take other steps as provided under Section 13(4) of the said Act. There is no material on record to show that the non applicants preferred any application under section 17 of the said Act. Moreover, the authorized officer of the applicant has duly stated in his affidavit about the compliance of requirements of clause (I) to (ix) of section 14 of the said Act. Therefore, there is no impediment in granting the necessary assistance to the applicant in taking possession of the secured asset as per section 14 of the said Act. Hence, I proceed to pass following order:

ORDER

1) The applicant to take possession of property – All that piece and parcel of property bearing Grampanchayat Milkat No.262/4 adm. 1280 sq. ft. situated at village Apatgaon, Taluka and District Chhatrapati Sambhajinagar(Aurangabad) bounded as East-Janardhan Pakhare, West-Ashok Pakhare, South- Government road, North-Government road, by

taking such steps and using such force as may be legally necessary.

2) The Court Commissioner Adv. Karan Laxman Tupe is hereby appointed to take and assist to take possession of the mortgaged 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 due 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 cost of the applicant.

4) The applicant shall have to bear the requisite Court Commissioner fees i.e. Rs.15,000/- (Rs. Fifteen Thousand only) as per rule.

5) Issue writ accordingly.

Digitally signed by ANAND SHESHERAO CHONDE
Date: 2026.06.11 15:12:49 +0530

(A. S. Chonde)

Date: 11.06.2026 **6th Additional Chief Judicial Magistrate**
Aurangabad.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same, word to word, as per original Order.

Name of the Stenographer	: J. A. Jamdade
Court	: 6 th CJSD, ACJM, Aurangabad
Date	: 11.06.2026
Order signed by the presiding officer on	: 11.06.2026
Order uploaded on	: 11.06.2026