


MHAU030038222026 	<u>CRI.M.A.NO.744/2026</u> Muthoot Housing Finance Company Ltd. Vs. Bharat Ravsaheb Pakhare and others.
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ORDER BELOW EXH.1.

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 said Finance Ltd. The said bank sanctioned loan of Rs.2,07,695/- on 29.05.2019 and sanctioned loan of Rs.1,52,618/- on 31.03.2021 to non-applicants. Then the necessary documents were made. The non-applicants gave mortgage of the property mentioned in the prayer clause of the application. The non-applicants did not maintain the account properly and their account is declared as NPA on 08.09.2025.

3] The company issued notice under Section 13(2) of the said Act to borrower dated 12.09.2025 demanding outstanding amount Rs.2,32,629.50/- and Rs.1,46,853.01/- as on 10.09.2025 alongwith further interests till realization. The demand notices under Section 13(2) were issued to the non-applicants and report of the said notices not received. Thereafter, the applicant published the said demand notice in newspaper on 29.09.2025. So, the notices were served. The non-applicants failed to pay the amount as per the demand notice as well as failed to file any objection. Hence, 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 immovable property bearing milkat No.1323, Admeasuring 55.76 Sq.Mtrs. (600 Sq.Ft.) Gut No.270, Plot No.03, Situated at Pimpri Raja, Tq. & Dist. Aurangabad, bounded as under :

East : Plot No.2,

West : Plot No.4,

North : Plot No.41,

South : 10 Ft. Road,

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

- 2] The Court Commissioner **Adv. Karan L. Tupe** 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 cost of the applicant company.
- 4] The applicant company shall have to bear the requisite Court Commissioner fees i.e. Rs.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.

Aurangabad.

Date: 16.05.2026.

(R. S. Jambotkar)

Chief Judicial Magistrate, Aurangabad.

(E-filing)

CERTIFICATE

I affirmed that the contents of this P.D.F. file Judgment/order are same, word to word, as per the original order.

Name of the Stenographer : Gajanan R. Tehere
Stenographer Grade-II.
Court : (Shri. R.S. Jambotkar)
C.J.M., Aurangabad
Date : 16.05.2026
Judgment/Order signed by
the Presiding Officer on : 16.05.2026
Order uploaded on : 16.05.2026
