



O.M.C. No.1418/2026
Jana Small Finance Bank Ltd. V/s.
Mr. Sanjay Marotrao Dayare and others.
CNR No.MHWR030056082026

ORDER BELOW EXH.1
(14.08.2026)

1] By this application, the applicant i.e. secured creditor wants assistance of this court for taking possession of secured asset u/s 14 of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. (Herein after referred to as “SARFAESI Act”).

2] The applicant is a financial institution within the meaning of section 2(1)(m) of the SARFAESI Act. The non-applicant Nos.1 and 2 are the borrowers. They had created security interest in favour of the applicant. They had made default in repayment of secured debt. Therefore, their account was classified as Non-performing Asset. The secured asset is non-agricultural land situated within territorial jurisdiction of this court. The application is accompanied by an affidavit duly affirmed by the authorized officer of the applicant declaring that-

*(i) the aggregate amount of **Rs.4,60,000/-** of financial assistance was granted and the total claim of the Bank as on the date of filing the application is **Rs.4,32,819/-** including interest;*

(ii) the borrower has created security interest over the property mentioned in schedule and the applicant is holding a valid and subsisting security interest over such property and the claim of the applicant is within the limitation period;

(iii) the borrower has created security interest over various properties giving the details of properties referred to in sub-

clause (ii)above;

(iv) the borrower has committed default in repayment of the financial assistance granted aggregating the specified amount;

(v) consequent upon such default in repayment of the financial assistance the account of the borrower has been classified as a non-performing asset on 01/02/2026;

(vi) affirming that the period of sixty days notice as required by the provisions of sub-section (2) of section 13, demanding payment of the defaulted financial assistance has been served on the borrower i.e. the non-applicant;

(vii) no objection or representation in reply to the notice has been received by the borrower i.e. the non-applicant;

(viii) the non-applicant has not made any repayment of the financial assistance in spite of the above notice and the Authorized Officer is, therefore, entitled to take possession of the secured assets under the provisions of sub-section (4) of section 13 read with section 14 of the SARFAESI Act;

(ix) that the provisions of this Act and the rules made thereunder had been complied with:

3] The above declaration made on oath by the authorized officer is supported by the documents. Thus, in view of mandate of section 14, the request made by the applicant needs to be approved. Hence, the following order;

ORDER

- 1] The application is allowed.
- 2] The special bailiff be appointed for taking possession of the following secured asset;

SCHEDULE OF PROPERTY

Immovable Property
All that piece and parcel of land bearing House No.186, (173 - as per tax Assessment), total admeasuring 47.67 sq.meter, together with construction thereon, situated at Ward No.2, Mouza – Belgaon, PH.No.17, CTS No.11, within the limits of Grampanchayat Belgaon, Tahsil and District Wardha and the same is bounded as under : On East – House of Mr.Dayare, On West – Road, On North – House of Mr.Nehare, On South – House of Nagose.

- 3] The special bailiff is authorized to remove any person, who refuses to vacate the secured asset and also to break open any lock or door or do any other act necessary for putting the secured creditor in possession of the secured asset.
- 4] After taking possession of the secured asset, the special bailiff to hand it over to the authorized person of the applicant /secured creditor.
- 5] The applicant to bear special bailiff charges.
- 6] The officer-in-charge of jurisdictional Police Station is directed to provide police aid to the bailiff for execution of the order, if required, on payment of requisite charges by the applicant/ secured creditor.
- 7] No order as to costs.

Wardha
Date: 14/08/2026

(Smt.M.Y.Doiphode)
Chief Judicial Magistrate,
Wardha.