

MHYA030022072026



Other Misc.Cri.Appln/211/2026
Mahindra Rural Hou. Fin. Cor.Ltd.
Mumbai, Branch Yavatmal through
Shri. Vishal Rajkumar Shriwas
Vs.
Tarasing Vithal Sagne and other

ORDER BELOW EXH.1
(Passed on 4th day of July, 2026)

1. Perused the Application, which is supported by the Sworn Affidavit of the Authorized Officer of the Applicant and documents attached with it.
2. Heard the argument of learned Advocate for the Applicant.
3. By this application, the Applicant is seeking the assistance for taking possession of the secured assets as per Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (“the SARFAESI Act”).
4. As per the directions of the Hon'ble Supreme Court and the Hon'ble Bombay High Court in various Judgments, there is no requirement to give the notice to the borrower while deciding the application under Section 14 of the SARFAESI Act and give hearing before passing the final order.
5. It appears from the record that the Applicant had issued the notice under Section 13(2) of the SARFAESI Act to the Borrower and same is received by non-applicants. The Authorized Officer also stated about the service of the notice in the Sworn Affidavit. Thus, the Court needs to consider that the notice was duly issued against the borrower.
6. Further, the secured assets fall within the jurisdiction of this Court. Moreover, the Authorized Officer in the Sworn Affidavit affirmed that all requirements of Section 13 of the

SARFAESI Act are duly complied with. Therefore, there is no impediment in granting the necessary assistance to the Applicant in taking possession of the secured assets as per Section 14 of the SARFAESI Act. Hence, I proceed to pass the following order-

ORDER

1. The Application is allowed.
2. Issue Possession Warrant as prayed.
3. The Head Bailiff of the concerned Court is directed to depute the Bailiff for taking possession of the secured assets mentioned in the Application.
4. The Bailiff shall take possession of the secured assets by taking such steps and using such force as may be legally necessary and to break open the lock, if required. After taking possession, the Bailiff shall forward the same to the Authorized Officer of Applicant.
5. The In-charge Police Officer of concerned Police Station, within whose jurisdiction the property is situated, is directed to provide necessary police protection for the execution of the aforesaid possession warrant at the cost of the Applicant.
6. The Applicant shall have to bear the requisite charges as per the rules.
7. The applicant Bank may appoint the Commissioner for compliance of this order.

Yavatmal
Date-04-07-2026

(C. R. Umredkar)
4th Jt. Civil Judge Sr. Division
& Addl.C.J.M. Yavatmal.