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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1732 OF 2026

Indian Bank	...Petitioner
Versus	
The Nayab Tahasildar Pimpri Chinchwad and Ors.	...Respondents

Ms. Vaishali Bhilare a/w Mr. Somesh Talla for the Petitioner.
Ms. Tanu N. Bhatia, AGP for Respondent Nos.1, 2 and 3.

**CORAM: MANISH PITALE &
 SHREERAM V. SHIRSAT, JJ.**

DATE: 4th MARCH 2026

P.C.

1. The Petitioner/Bank is a secured creditor. The Petitioner had proceeded for taking physical possession of the secured asset in pursuance of an order dated 11th March 2024 passed by the competent Magistrate under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002. The said order was executed through Respondent No.1 - Nayab Tahasildar on 21st May 2025. A copy of the panchanama is placed on record, which shows that physical possession of the secured asset was indeed taken over on the said date.

2. The Petitioner/Bank has specifically stated that within one month on 21st June 2025 the original borrowers illegally trespassed into the secured asset, which is a flat. As a consequence, the Petitioner/Bank was constrained to approach the local police station, i.e., Respondent No.3 and an FIR was registered in that context.

3. Thereafter, the Petitioner/Bank was constrained to approach Respondent No.1 - Nayab Tahasildar. He fixed a further date for taking

possession of the secured asset but the notice could not be executed and in this backdrop the Petitioner/Bank is constrained to approach this Court in writ jurisdiction.

4. We have noticed the number of such cases from District Pune where borrowers are rampantly trespassing into properties that were secured assets and possession of which was taken over in accordance with law in pursuance of the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

5. The secured creditor, i.e., the Petitioner/Bank herein is left with no alternative but to approach the Court in such extra ordinary circumstances, which show scant respect for rule of law by the borrowers.

6. We are convinced that appropriate directions are required to be issued in the facts and circumstances of the case. Learned AGP appears on behalf of Respondent Nos. 1 to 3, which are state authorities. Considering the directions sought in the present Petition, we are of the opinion that Respondent Nos. 1 to 3 are the authorities that need to take appropriate steps in the matter so that that the auction purchaser, i.e., Respondent No.7 is not put to further harassment.

7. In view of the above, we direct that the Respondent No.1 – Nayab Tahasildar shall fix the date of taking physical possession of the secured asset on 13th March 2026. Respondent No.3, i.e., the Incharge Police Inspector of Bhosari Police Station, Pimpri Chinchwad, Pune is directed to provide adequate police assistance to Respondent No.1 - Nayab Tahasildar to take physical possession on 13th March 2026, in terms of the directions given herein above. Respondent No.3 shall ensure that appropriate police assistance is provided, including lady constables being made available for execution of the said directions. Respondent Nos. 1 and 3 are free to use proportionate, reasonable and adequate physical force to

ensure that the possession of the secured asset is taken on the said date and handed over to the Petitioner/Bank.

8. It is made clear that if the directions given herein above are not complied with, the Respondent No.1 - Nayab Tahasildar, Pimpri Chinchwad, Taluka Haveli, District Pune as well as the Incharge Police Inspector of Bhosari Police Station, Pimpri Chinchwad, Pune, shall remain personally present in this Court on the next date of hearing.

9. List under the caption "for compliance" on 17th March 2026.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)