

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).2342/2026

[Arising out of impugned final judgment and order dated 02-01-2026 passed in MA No.709/2025 by Chief Judicial Magistrate, Satara]

M/S. AIRAVAT INDUSTRIES

Petitioner(s)

VERSUS

BANK OF MAHARASHTRA

Respondent(s)

(IA No. 11843/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 11844/2026 - EXEMPTION FROM FILING O.T.)

Date : 30-01-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) : Mr. Mathews J Nedumpara, Adv.
Ms. Maria Nedumpara, Adv.
Ms. Hemali Suresh Kurne, Adv.
Mr. Shameem Fayiz, Adv.
Mr. Jeevan R Patil, Adv.
Mr. Rakesh Kumar, Adv.
Mr. Chand Qureshi, AOR
Mr. Abhishek Gurawa, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

1. In ***R.D. Jain & Co. v. Capital First Ltd.***¹, this Court while agreeing with its earlier decision in ***NKGSB Cooperative Bank Ltd. v. Subir Chakravarty***² held that the step taken by the Chief Metropolitan Magistrate / District Magistrate under Section 14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002³ “are ministerial in nature and does not involve any adjudicatory process and there is no element of any quasi-judicial function”. Much the same view has been expressed by this

¹ (2023) 1 SCC 675

² (2022) 10 SCC 286

³ SARFAESI Act

Court in its order dated 30.09.2022 in Civil Appeal No. 7049 of 2022 (Pankaj Ray v. Sanjay Parshuram Jadhav & ors.) by placing reliance on the decision in ***Balkrishna Rama Tarle v. Phoenix ARC Private Ltd.***⁴, while reversing the decision of the High Court of Bombay dated 02.02.2022 in Writ Petition No.888 of 2022 (Sanjay Parshuram Jadhav v. State of Maharashtra v. ors.) and restoring the order of the District Magistrate-cum-District Collector, Pune.

2. In view thereof, the argument of Mr. Nedumpara, learned counsel for the petitioner that the order dated 02.01.2026 passed by the Chief Judicial Magistrate, Satara under Section 14 of the SARFAESI Act, impugned in this special leave petition, is an order passed in exercise of judicial functions lacks substance.

3. The Special Leave Petition is not maintainable and is, accordingly, dismissed.

4. Pending applications, if any, shall stand disposed of.

5. This order shall, however, not preclude the petitioner to pursue its remedy before the appropriate forum in accordance with law. All points on merits are kept open.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

⁴ (2023) 1 SCC 662