



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



S.B. Civil Writ Petition No. 14449/2025

Tyger Home Finance Private Limited, Having Registered Office-
Shikhar, Mithakhali Circle Ke Pass, Navrangpura, Ahmedabad,
Gujrat - 380009.

Corporate Office-1, Bkc, C Wing 1004/5, 10Th Floor, Bandra
Kurala Complex, Bandra (East) Mumbai - 400051 Maharastra
Regional Office- 2Nd Floor, Mahima Trinity Mall, Govindpuri,
Jaipur, Rajasthan-302019, Through Authorized Officer Shri
Rohan Bagri



-----Petitioner

Versus

1. State Of Rajasthan, Through Additional Chief Secretary,
Department Of Home, Secretariat, Jaipur
2. The Principal Secretary, Department Of Finance,
Secretariat, Jaipur
3. The Director General Of Police Rajasthan, Jaipur Police
Head Quarter, Lal Kothi, Jaipur
4. The Superintendent Of Police, Kothputli-Behror
5. Suresh Chand S/o Chaju Ram, Resident Of Village Kothal,
Teh.- Bansur, Santhalpur, Alwar, Rajasthan- 301402
6. Prem Lata W/o Suresh Chand, Resident Of Village Kothal,
Teh.- Bansur, Santhalpur, Alwar, Rajasthan - 301402

-----Respondents

For Petitioner(s)	:	Mr. Kartikeya Sharma, Adv. Mr. Puneet Chahar, Adv. Mr. Mukul Choudhary, Adv.
For Respondent(s)	:	Mr. Shubham Sharma, Adv. for Ms. Somitra Chaturvedi, Dy.G.C for respondent Nos.3 and 4

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

30/10/2025

1. The petitioner has filed this writ petition against the order
dated 12.08.2024 passed by the Chief Judicial Magistrate, Alwar



(hereinafter referred to as learned 'Magistrate') on the application moved by the petitioner under Section 14 of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as the 'Act of 2002') for getting the possession of the secured asset of respondent Nos. 5 and 6, whereby the learned Magistrate has directed the petitioner to approach the police department for taking such possession after depositing the expenses of such police assistance.

2. Learned counsel for the petitioner contends that the police vide letter dated 27.02.2025 annexed as Annexure-3 has directed the petitioner to deposit Rs.6,34,383/- for providing police assistance in taking possession of the secured asset whereas the loan amount to be recovered is only Rs.9,90,000/-.

3. Learned counsel for the petitioner submits that under Section 14 of the 'Act of 2002' there is no such provision by which the secured creditor may be directed to deposit any expenses of police assistance, in case, any such assistance is taken for securing possession of the secured asset. Therefore, learned counsel for the petitioner at this stage make a limited prayer to delete the aforesaid condition in the impugned order dated 12.08.2024 passed by the learned Magistrate, by which the petitioner is directed to deposit the amount for expenses of police assistance.

4. To support his contentions, learned counsel for the petitioner has drawn the attention of this Court towards the judgment passed by the Division Bench of the Allahabad High Court in **Writ - C NO. 9723** titled as **Pnb Housing Fiance Ltd. vs. State of U.P. & Ors.** dated **14.11.2024** and the judgment passed by the Coordinate Bench of this Court at Principal Seat Jodhpur in



S.B. Civil Writ Petition No.2310/2022 titled as **Valeed Ahmed & Anr. Vs. The Commissioner of Police, Jodhpur & Ors.** dated **19.04.2022.**

5. Learned counsel for the respondent vehemently opposes the prayer made by learned counsel for the petitioner.

6. Heard learned counsel for the parties and perused the material available on record.

7. Admittedly, there is no provision under Section 14 of the 'Act of 2002' which may authorize the learned Magistrate to direct the secured creditor to deposit any expenses of police assistance in taking possession of the secured asset.

8. In that view of the matter, the direction given to the petitioner for depositing the expenses of police assistance vide impugned order dated 12.08.2024 passed by the Chief Judicial Magistrate, Alwar is hereby set aside.

9. The petitioner is directed to move execution application before the concerned police authorities to comply with the impugned order dated 12.08.2024 passed by the Chief Judicial Magistrate, Alwar and the police authorities are directed to comply with the aforesaid order dated 12.08.2024 at the earliest.

10. With the above direction, the petition is disposed of.

11. Pending application(s), if any, also stands disposed of.

(ASHUTOSH KUMAR),J

TANISHA /27