

Court No. - 3

Case :- WRIT - C No. - 32485 of 2023

Petitioner :- Abid Khan

Respondent :- District Magistrate / Collector, Ghazipur And 2 Others

Counsel for Petitioner :- Atiul Raza Khan

Counsel for Respondent :- C.S.C., Ashish Agrawal

Hon'ble Siddhartha Varma, J.

Hon'ble Manoj Bajaj, J.

List has been revised.

None has appeared on behalf of petitioner. Sri Sanjeev Kumar Pandey, learned counsel for respondent bank and learned Standing Counsel are present.

From the record, we find that proceedings for auction had been initiated.

Learned counsel for the respondent bank has submitted that as per the judgment of Hon'ble Apex Court in the case of ***CELIR LLP Vs. Bafna Motors (Mumbai) Pvt. Ltd. and others decided on 21.9.2023 in Civil Appeal Nos.5542-43 of 2023***, no interference can be made by this Court in the instant writ petition.

We find substance in the submission made by learned counsel for the respondent bank in view of the fact that auction has already been notified, no interference is warranted as per the law laid down in the case of ***CELIR LLP Vs. Bafna Motors (Mumbai) Pvt. Ltd. and others (Supra)***.

Under such circumstances, no interference is warranted by this Court in the instant writ petition.

The writ petition is accordingly, dismissed.

Order Date :- 30.10.2023

P.S.Parihar