

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4921 OF 2015
IN WP/1307/2015

MINAKSHI BHAGWAN KARANKAL
VERSUS
DIVISIONAL JOINT REGISTRAR, CO-OPERATIVE SOCIETIES & OTHERS

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Advocate for Applicant : Shri Shinde A.D. h/f Shri Jadhav Kailas B
AGP for Respondents 1 & 2 : Shri Tope S.S.
Advocate for Respondents 3 & 4 : Shri Hon V.D., Sr. Adv.
i/b Shri Hon A.V.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: April 30, 2015
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PER COURT :-

1. By this application, the applicant, who has been granted time upto 2.5.2015 to comply with the order passed by this Court on 4.2.2015 and 6.2.2015, prays for extension of time by four weeks. Consequentially, the applicant prays for modification of the order dated 4.2.2015 and 6.2.2015 only to the extent of extension of time.

2. Shri Shinde, learned Advocate submits that a specific affidavit by the applicant along with her husband has been placed on record from page Nos. 28 to 33 of the Civil Application, duly sworn and identified. He indicates from paragraph No.3 of the said affidavit that beyond the time extended by this Court, the applicant and her husband shall not seek any extension and in the event they fail to comply with the order dated 4.2.2015 and 6.2.2015 passed in Writ Petition No. 1307 of 2015, respondent Nos.3 and 4 shall be at liberty to proceed for disposing off the property at issue.

3. Shri Hon, learned Sr. Advocate appearing on behalf of respondent No.4 submits, on instructions, received from the Manager of respondent No.4 Bank, who is present in the Court that time could be extended only upto 29.5.2015 and the applicant and her husband shall not pray for any

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extension, even for a day there beyond. He further submits that in the event the orders dated 4.2.2015 and 6.2.2015 are not complied with, the said respondents shall proceed to dispose off the property at issue by auction and the costs and expenses for the said auction shall also be recovered from the proceeds received after selling of the said property.

4. Shri Shinde, learned Advocate on instructions from the applicant and her husband, who are present in the Court, submits that they are agreeable to the suggestion of Shri Hon.

5. In the light of the above, this Application is partly allowed. The applicant and her husband shall implement the order dated 4.2.2015 and 6.2.2015 delivered in Writ Petition No.1307 of 2015 on/or before 29.5.2015. The applicant is precluded from seeking any further extension of time. Failure to comply with this order shall entitle respondent No.4 to recover the outstanding loan, the costs and expenses of the auction, pursuant thereto, from the proceeds received from the said property.

(RAVINDRA V. GHUGE, J.)

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