

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CIVIL APPLICATION (CAW) NO. 1222 OF 2015**

**IN**

**WRIT PETITION NO. 629 OF 2007.**

(MAHARASHTRA STATE COOP. BANK LTD...VS..STATE OF MAH. AND OTHERS.)

-----  
Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
-----

Court's or Judge's orders

-----  
Mr. M.V.Samarth, Advocate for Petitioner.  
Mr. K.L.Dharmadhikari, A.G.P. for Respondent No.1.  
Mr. P.D.Meghe, Advocate for Respondent No.3/Applicant.  
-----

**CORAM : Z.A.HAQ, J.**

**DATED : JULY 16, 2015.**

The application is filed by the respondent No.3 Vidarbha Weavers Central Cooperative Society Ltd., Nagpur through its Official Liquidator seeking directions regarding the procedure to be followed for auctioning the land admeasuring 8.33 acres belonging to the respondent No.3-Society, situated at Umrer Road.

In the earlier process, a bid of Rs.16,40,73,000/- was received for this land in the tender process. An application came to be filed before this Court in which an offer of Rs.18.11 crores was given by the applicant in that application. This Court by order dated 8<sup>th</sup> February, 2011 directed the applicant, who had given the offer of Rs.18.11 crores, to deposit an amount of Rs.5 crores with the Registry of this Court within one week to show his bonafides. This order was challenged before the Hon'ble Supreme Court in Civil Appeal Nos. 6832 and 6833 of 2013. The Hon'ble Supreme Court passed an order on 19<sup>th</sup> August, 2013 as follows :

*“xxxx xxx, we dispose of these appeals with the following directions :*

*(a) The official Liquidator shall initiate appropriate proceedings for holding a fresh auction for the property after giving wide publicity to the same.*

*(b) The auction shall be by inviting sealed tenders.*

*(c) The auction notice shall mention the reserve price of the property at Rs.18,00,00,000/- (Rupees Eighteen Crores only).*

*(d) Subject to the appellant and respondent No.5 depositing earnest money as required in terms of the fresh auction notice, the amount deposited by them earlier shall stand released in their favour together with interest if any accrued on the same.*

*(e) The orders passed by the High Court and impugned in these appeals shall to the extent indicated above stand modified and the appeals disposed of leaving the parties to bear their own costs.”*

Pursuant to the directions given by the Hon'ble Supreme Court, the Registrar of the Societies-Director of Textiles, Government of Maharashtra, Nagpur issued communication dated 22nd May, 2015 directing the Liquidator to conduct the auction by E-tendering. After receiving the communication from the Director of Textiles, the present civil application has been filed.

Considering the nature of controversy the following order is passed :

- i) The Official Liquidator shall hold auction by E-Tendering process, as per the norms of the Government.
- ii) The auction notice shall mention the reserve price of the property as Rs.23,68,80,000/-.

- iii) The Liquidator shall publish notice in three prominent newspapers out of which at least one should be in English and one should be in Marathi, giving details of the E-Tendering Process.
- iv) The sealed offers which will be received by the Liquidator shall be submitted to the Registrar(Judicial) of this Court along with the list prepared by the Liquidator.
- v) All the offers will be opened in the office of the Registrar (Judicial) of this Court.
- vi) At the time of opening of the offers, the representatives of the petitioner, respondents and the concerned bidders are permitted to remain present before the Registrar (Judicial).
- vii) After the sealed covers are opened, the details of the offers given by the bidders shall be prepared in tabulation form and will be placed before the Court for consideration.
- viii) The process shall be completed within sixty days

The Civil Application is **disposed** of in the above terms.

Put up this **petition** for further consideration on **21st September, 2015.**

JUDGE