

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO. 3235 OF 2017**

Vasantrao Rambhau Patil

.. Petitioner

**Versus**

The Union of India and others

.. Respondents

Shri Vinod P. Patil, Advocate for the Petitioner.

Shri Agay G. Talhar, Standing Counsel for Respondent No. 1.

Shri R. B. Bagul, A.G.P. for Respondent Nos. 2 and 3.

**CORAM : S. V. GANGAPURWALA AND  
K. L. WADANE, JJ.**

**DATE : 09TH MARCH, 2017.**

**PER COURT :**

. Mr. Patil, the learned counsel for the petitioner submits that, the petitioner is a member of the respondent No. 4/sugar factory. The respondent No. 4/sugar factory is under liquidation. The secured creditor i. e. the respondent No. 5 has put the property of the respondent No. 4 to auction and the auction was to be held on 12.01.2017. As per the said auction notice last date for accepting offer was 30<sup>th</sup> September, 2016. The petitioner desirous that the factory should run.

2. It appears that, the said auction notice is pursuant to an action U/Sec. 13(4) of the Securitization and Reconstruction of

Financial Assets and Enforcement of Security Interest Act, 2002 (for short “Securitization Act”). An interested person can challenge the said action U/Sec. 17 of the Securitization Act.

3. In view of the fact that, alternate remedy is available, we are not inclined to entertain the writ petition on merits. The writ petition is disposed of. The petitioner may avail the alternate remedy as may be permissible in law. The writ petition is disposed of. No costs.

**[ K. L. WADANE, J. ]**

**[ S. V. GANGAPURWALA, J. ]**

bsb/March 17