

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

WRIT PETITION NO. 1722 OF 2015

The Ahmednagar District Central
Co-op. Bank Ltd. Ahmednagar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Niteen V. Gaware, Advocate for the Petitioner.
Mrs. M. A. Deshpande, Addl.G.P. for Respondent Nos. 1 to 4.
Shri Umakant Wagh, Advocate h/f Shri A. V. Hon, Advocate for
the Respondent No. 5.

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

DATE : 27TH JANUARY, 2017.

PER COURT :

. We have heard Mr. Gaware, the learned counsel for the petitioner and Mrs. Deshpande, the learned Additional Government Pleader for respondent Nos. 1 to 4. The petition is filed assailing the sale/auction notice dated 20.01.2015 issued by the respondent No. 4 to auction the part of the property of the respondent No. 5.

2. The learned Additional Government Pleader on oral instructions received from the respondents states that, pursuant to the said auction notice no bids have been received.

3. This Court had under order dated 13.02.2015 allowed the auction proceedings to proceed, however, had restrained the respondents from issuing letter of acceptance of offer.

4. As no bids have been received pursuant to the impugned sale/auction notice and now on the basis of said auction notice no further proceedings can be initiated of auction, the relief claimed in the petition does not survive. In view of the that, the writ petition is disposed of. No costs.

5. Needless to state, in case a fresh cause of action arises, the parties are at liberty to prosecute the remedy available to them.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]