

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

**CIVIL APPLICATION NO. 13456 OF 2016
IN
WRIT PETITION NO. 10229 OF 2016**

Namit Gopal Agrawal and Another ..APPLICANTS

VERSUS

State of Maharashtra and Others ..RESPONDENTS

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Mr. S.S. Kulkarni, Advocate for applicants.

Mr. M.B. Bharaswadkar, A.G.P. for respondent - State.

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**CORAM : M.S. SANKLECHA, J.
DATED : 18th APRIL, 2017**

ORDER :

1. This civil application has been taken out for amendment to a writ petition which is still awaiting admission. This civil application has been filed seeking to bring on record events which had happened subsequent to the filing of the petition. This by seeking to add auction purchasers of the sale done by Respondent No.2 – bank as mentioned in paragraph no.2 of the civil application and also challenges the sale deed dated 30th August, 2016 executed by Respondent Nos. 2 and 3 in the petition in favour of the auction purchaser.

2. As this civil application has been taken out pending admission, same is allowed. The petitioners to carry out the amendment by adding name of auction purchasers as well as annexing the sale deed dated 30th August, 2016 to the petitioner. The amendments to be carried out within one week from today. Copy of the amended petition to be served on the respondents including the newly added respondent immediately after carrying out the amendments. Place the petition for admission on 04th May, 2017.

3. Mr. Kulkarni, learned Counsel for the petitioner sought a stay and/or direction restraining the proposed respondent (auction purchaser) for creating any third party right in respect of the subject property. It would be appropriate that the petitioner first carried out the amendment and thereafter apply for interim/ad-interim relief after notice to all the parties arrayed as respondents in the petition.

(M.S. SANKLECHA, J.)

SSD