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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9462 OF 2014

Shivaji H. Patil & Ors.

... Petitioners

vs.

The State of Maharashtra & Ors.

...Respondents

Mr. Sarthak Diwan i/b. Ashutosh M. Kulkarni for the petitioners.

Ms. Aparna Vhatkar, AGP, for the respondent nos.1,4,7,10,15 and 16.

Mr. Ajit J. Kengale & Akshay Kamble for the respondent no.2.

Mr. Umesh R. Mankapure for the respondent no.5.

Mr. Bhushan Walimbe for the respondent no.6.

Mr. Surel S. Shah for the respondent no.9.

Mr. Pradeep Bhor i/b. O.S. Das for the respondent no.11.

CORAM : A.S.OKA, &

A. K. MENON, JJ.

DATE : 3RD APRIL, 2017

PC.

. The challenge in this Writ Petition under Article 226 of the Constitution of India is to the order by which property of respondent no.5 Sugar Factory was ordered to be sold.

2. There is an affidavit filed by Mr. Ajay Madhukar Sasane, Incharge – Regional Deputy Director (Sugar), Kolhapur. In the said affidavit, a statement has been made that the proposed sale has been cancelled. A copy of letter dated 2nd May, 2015 addressed by the Department of Co-operation to the Commissioner of Sugar is annexed to the said affidavit. It is stated in the said letter that the sale of the land of the sugar factory

to be conducted through Government appointed Committee has been cancelled and the said decision is subject to orders passed by this Court in the present writ petition.

3. Thus the decision to sell the property of the 5th respondent has been cancelled. Hence, it is not necessary to entertain this petition.

4. Accordingly, the petition is disposed of.

(A. K. MENON, J.)

(A. S. OKA, J.)