

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

BENCH AT AURANGABAD.

**WRIT PETITION NO.13061 OF 2017
WITH
CIVIL APPLICATION NO.850 OF 2018
IN
WRIT PETITION NO.13061 OF 2017**

M/s Mansingka Industries
Ltd., A company duly incorporated
under The provisions of the
Companies Act, 1913 and having
its registered Office at 1, Sir
Vithaldas Thackersey Marg,
No.1, Maker Bhavan, Bombay
through its Managing Director
Pradeepkumar S/o Hanumanprasad
Mansingka, Age 60 years, Occ.
Business. ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.Jitendra Patil, advocate holding for
Mr.P.N.Nagargoje, advocate for the petitioner.
Mr.P.S.Patil, Additional Government Pleader for
the State.
Mr.P.P.Chavan, advocate for Respondent No.6.

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**CORAM : S.V.GANGAPURWALA AND
A.M. DHAVAL, JJ.**

Date : 07.03.2018.

PER COURT :

1. The petitioner assails the auction notice which was scheduled on 9.11.2017.

2. This Court under order dated 9.11.2017, had directed the petitioner to deposit the amount due and recoverable from him within two (2) weeks and on the basis of said statement, the Respondents are directed not to finalise the auction proceedings.

3. Mr.Chavan, learned counsel submits that pursuant to the auction notice bids were received.

4. The petitioner after the order dated 9.11.2017, has deposited 2,01,50,000/- (Rupees two crore one lac fifty thousand).

5. In view of the fact that the petitioner has deposited the amount of Rs.2,01,50,000/- (Rupees two crore one lac fifty thousand) in this Court, the impugned auction notice stands set aside.

6. The Respondent Municipal Council is allowed to withdraw the amount deposited by the petitioner, without prejudice to the rights and contentions of the petitioner. If petitioner has got any dispute with regard to the claim of the Respondent Municipal Council on account of property tax, the petitioner is at liberty to raise the same before appropriate forum as is permissible in law.

7. The Writ Petition is accordingly disposed of. No costs.

8. In view of disposal of Writ Petition, the Civil Application also stands disposed of.

9. According to Mr.Chavan, learned counsel, the petitioner has deposited some amount in Writ Petition No.1160/2012. That Writ Petition is disposed of. He submits that Respondent Municipal Council has already filed application in the said Writ Petition. The

Respondent Municipal Council may prosecute the said application.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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