

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION [W] NO. 2847/2018
IN WRIT PETITION NO. 4404/2010.

Sau.Shobha Mohanlal Khandelwal.

-VERSUS-

Dr. Panjabrao Deshmukh Urban Coop. Bank Ltd. And others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.V. Khare, Advocate for the Petitioner.
Shri P.S. Patil, Advocate for Respondent No.1.
Shri A.S. Kadu, Advocate for Respondent No.3/Applicant.

CORAM : R.K. DESHPANDE &
VINAY JOSHI, JJ.

DATE : NOVEMBER 30, 2018.

Heard.

2. The property in question, mortgaged by the petitioner with respondent - Bank was the subject matter of a proceeding initiated under the provisions of SARFASI Act. The property has been sold and respondent no.3, is the purchaser in auction. The dues of the Bank are thus satisfied.

3. Respondent no.3/applicant has filed this Civil Application seeking permission to sell the

2

property, as there is an interim order prohibiting the parties from creating any third party interest over it.

4. Learned Counsel for the petitioner submits that the petitioner is willing to purchase the property, and if the matter is referred to a Mediator, the price can be settled between the petitioner and respondent no.3.

5. By consent of learned Counsel for the petitioner and respondent no.3, Shri J.J. Chandurkar, Advocate is appointed to act as a Mediator to explore the possibility of settlement between the parties. Petitioner and respondent no.3 to appear before the said Mediator in-person, failing which costs of Rs.1000/- on each occasion will be required to be paid by who so ever remains absent, to the Mediator.

6. Mediator to submit his report within a period of 8 weeks from the date of appearance of petitioner and respondent no.3.

JUDGE

JUDGE

Rgd.