

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

991 WRIT PETITION NO.9535 OF 2019

MANIKRAO LAXMANRAO SHETHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Kulkarni Sanket S. & Tripathi Akhilesh C.
AGP for Respondents/State : Mrs. M.A. Deshpande

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**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATE : 31.07.2019**

PC. :-

The petitioner is challenging the auction notice issued by the Tahsildar. The learned counsel submits that respondent no.3 has also filed a civil suit for partition and separate possession. Unless the share is defined the auction could not take place.

2. It appears that the amount of maintenance is due towards the son of the petitioner and as such the petitioner is interested in stalling the proceedings, we are not inclined to entertain the writ petition.

3. If the petitioner has got any other remedy before the Civil Court or under the provisions of Maharashtra Land Revenue Code, the petitioner may avail the same. Writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]