

Sharayu Khot.

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

WRIT PETITION (ST.) NO. 7937 OF 2019

Mr. Appasaheb Rangnath Choudhary ...Petitioner

Versus

State of Maharashtra & Ors. ...Respondents

Ms. Anuja Bhansali, i/b Raval Shah & Co., for the Petitioner.

Mr. N.C. Walimbe, AGP, for the Respondent No. 1-State.

Mr. Madhur Rai, i/b PRS Legal, for Respondent Nos. 2 and 3.

**CORAM : A.A. SAYED &
R.I. CHAGLA, JJ.**

DATE : 26 March 2019

ORDER :

1. The Petitioner is seeking the following relief:

“(a) That this Hon'ble Court be pleased to issue a writ in the nature of Mandamus or any other Writ or direction in the nature of Mandamus against the Respondent Nos. 2 and 3 thereby directing Respondent Nos. 2 and 3 to accept the balance amount of Rs. 31,02,000/- (Rupees Thirty One Lakhs and Two Thousand only) [Rs. 46,02,000/- minus Rs. 15,00,000/-] along with interest till 25.03.2019 and legal charges in terms of the order dated 15th February 2019 marked as Exhibit “B” and the sale of the said Property is not to be confirmed till 25th March 2019.”

2. On 20th March 2019, we had passed the following order:

“1 We direct that till the next date the Respondent Bank shall not issue the sale certificate.

2 Stand over to 26 March 2019, high on board.”

3. Learned Counsel for the Petitioner fairly states that the Petitioner has not been able to make arrangements for

payment of the amount of Rs. 31,02,000/- alongwith interest, etc.

4. In the circumstances, nothing survives for the consideration of the Petition, as even in the prayer clause of the Petition, the Petitioner only seeks that the sale of the property be not confirmed till 25th March 2019.

5. The Petition is dismissed.

[R.I. CHAGLA, J.]

[A.A. SAYED, J.]