

dik

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO. 1 OF 2019
IN
WRIT PETITION NO. 1268 OF 2019**

Mumbai International Airport ...Applicant/Petitioner.
vs
The State of Maharashtra & Ors. ...Respondents

**WITH
CHAMBER SUMMONS NO. 245 OF 2019
IN
WRIT PETITION NO. 1268 OF 2019**

Niswarth Kamgar Sanghatana ...Applicant
In the matter between
Mumbai International Airport ...Petitioner.
vs
The State of Maharashtra & Ors. ...Respondents

.....
Mr. S.R.Nargolkar a/w Aunkar Joshi a/w Sherrie Rebello for the Petitioner
Mrs. Gayatri Singh, Sr. Counsel a/w Mini Mathew for the Applicant in CHS No.
245 of 2019.
Mr Milind More AGP for the Respondent/State.
.....

**CORAM : S. J. KATHAWALLA &
B. P. COLABAWALLA, JJ.
DATED 14th JANUARY , 2020.**

P.C. :

Perused the Interim Application by which the Applicant / Mumbai
International Airport has sought the following reliefs :-

“(a) *This Court be pleased to allow the Applicant to hold public auction of
vehicles and equipments belonging to Respondent No.4 lying at the Mumbai*

Airport, on as is where is basis, (List at Exhibit "C" hereto) and allow the Applicant to deposit the sale proceeds of the said public auction with Respondent No.3 after deducting expenses for holding said public auction for vehicles and equipments belonging to Respondent No.4 lying at the Mumbai Airport;

(b) This Court be pleased to grant such further and other reliefs as the nature and circumstances of the case may require."

2 For the reasons set out in the Interim Application, the Applicant/ Petitioner is allowed to sell the equipment/materials set out in the list appended at Exh "C" to the Petition, on as is where is basis by e-Auction process. The said process shall be carried out as per the terms set out by the Petitioner in the "e-Auction process" a copy of which is tendered in Court, and is taken on record and marked "X" for identification. It is clarified that the sale proceeds received pursuant to the auction shall be forwarded by the Petitioner to the Prothonotary and Senior Master of this Court. Upon the amount being so deposited, the Prothonotary and Senior Master of this Court shall invest the said amount in a Fixed Deposit of a Nationalized Bank initially for a period of six months and shall thereafter renew the same after seeking directions from this Court. Liberty is granted to the parties including the Applicant to make an application seeking appropriate orders qua the amount deposited by the Petitioner with the Prothonotary. A copy of the covering letter forwarding the sale proceeds to the Prothonotary and Senior Master shall be forwarded to the Applicant Union by the

Petitioner.

3 In view of this order, the Chamber Summons as well as Interim Application stands disposed of.

(B. P. COLABAWALLA, J.)

(S. J. KATHAWALLA, J.)