

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

915 CIVIL APPLICATION NO.1288 OF 2020
IN WP/3788/2019

SIDDHESHWAR SAHAKARI SAKHA KARKHANA LTD MANIK NAGAR
SILLOD THROUGH AUTHORIZED OFFICER
VERSUS
THE REGIONAL PROVIDENT FUND COMMISSIONER AURANGABAD
AND ANOTHER

.....
Advocate for Applicant : Mr. K.J. Suryawanshi
Advocate for Respondents : Mr. N.K. Choudhary h/f Mr. K.B. Choudhary
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CORAM : V. K. JADHAV, J.
DATED : 11th FEBRUARY, 2020

PER COURT:-

1. Learned counsel for the applicant, on instructions from Shri. Madhav Manikrao Khare, Law Officer of the applicant Siddheshwar Sahakari Sakhar Karkhana Limited, Maniknagar, Tq. Sillod, District Aurangabad, makes a statement that the applicant original petitioner sugar factory is ready to offer agricultural land bearing Gat No. 83 or 84 situated at Sillod, Tq. Sillod, District Aurangabad to the respondents for attachment and auction sale in lieu of attachment of two turbines of the applicant sugar factory. Learned counsel for the applicant, on instructions, further submits that meanwhile, the applicant sugar factory would also pursue the compliance of Government Resolution dated 8.3.2019. Learned counsel for the applicant sugar factory submits that the ongoing auction sale process may be cancelled.

2. Learned counsel for the respondents submits that the respondents may consider alternate proposal submitted by the applicant if it is practicably viable. Learned counsel submits that however, ongoing auction process may be continued.

3. In view of above submissions, since the applicant sugar factory is ready to offer agricultural land from Gat No. 83 or 84 to satisfy the outstanding provident fund amount and allied dues, the respondent authorities may consider the same, if it is practicably viable. The respondents authorities may consider it in lieu of two turbines which came to be attached and the auction process is scheduled on 14.2.2020. However, I am not inclined to stay the auction process. Let the said auction process be complete. However, finalization of the said action process would be subject to the decision of writ petition No. 3788 of 2019. The proposed purchaser would not get any rights only on the basis of completion of auction purchase process. Meanwhile, the respondent authority may consider the alternate proposal, if submitted by the applicant sugar factory within two weeks from today. The applicant sugar factory to pursue the compliance of the Government Resolution dated 8.3.2019 meanwhile.

4. Civil application is accordingly disposed of.

(V. K. JADHAV, J.)