

Tandle

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO. 408 OF 2019
WITH
CIVIL APPLICATION NO. 481 OF 2019

Sou Sunanda Parshuram Ainarkar ... Appellant/Applicant.

V/s

Liquidator Committee,
Through
The Ichalkaranji Urban Co-op. Bank Ltd. ... Respondent.

Mr. Sandeep Koregave for the Appellant/Applicant.
Mr. Sudhir Prabhu for the Respondent.

CORAM : A. S. GADKARI, J.
DATE : 4th MARCH, 2020

P. C. :

APPEAL FROM ORDER NO. 408 OF 2019

1. Heard learned counsel for respective parties.
2. Admit.

CIVIL APPLICATION NO. 481 OF 2019

3. The record clearly indicates that, the appellant/applicant is in actual use of and in occupation of the suit premises. That the appellant/applicant is a bonafide purchaser of property for valuable consideration without notice. It further prima facie appears that, the charge or lien of the respondent-Bank was not entered into revenue records. That, the appellant/applicant before executing the sale-deed had

given public notice in marathi daily newspaper 'Lokmat' to which the respondent– Bank never responded.

4. In view thereof, interim relief in terms of prayer clause (a).
Civil Application No. 481 of 2019 is accordingly allowed.

(A. S. GADKARI, J.)