

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

1032 Writ Petition No.8214 Of 2021

Sachin Sharadrao Gaware and Another	.. Petitioners
Versus	
The State of Maharashtra and Others	.. Respondents
...	

Mr Amol S. Gandhi, Advocate for the Petitioners
Mr S.K. Tambe, AGP for Respondent Nos.1 to 4
Mr S.P. Salgar, Advocate h/f. Mr N.V. Gaware, Advocate for
Respondent Nos. 5 & 6
Mr Rahul A. Tambe, Advocate for Respondent No.7
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**CORAM : S. V. GANGAPURWALA AND
R.N. LADDHA, JJ.**

DATE : 22-09-2021

PER COURT :

1. We have heard Mr Gandhi, learned Advocate for the petitioners and Mr Salgar, learned advocate for Respondent Nos.5 and 6.

2. We are not inclined to pass any orders in the present matter on merits. It is submitted that the borrower's property was already put to auction. The petitioner is a guarantor. According to the respondent, the amount outstanding is more than Rs.1,28,00,000/- and worth of borrower's properties is Rs.62,52,000/- and during the auction, no bidders had bid for the auction.

3. The Bank may proceed with the auction of the borrower's property, if there is no other impediment for the second time and if the bidders are not received and / or the entire loan amount is not realized, then the respondent may proceed further in accordance with law with regard to the guarantors property, of course, after following the due procedure.

4. With these observations, the Writ Petition is disposed of.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

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