

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

958 WRIT PETITION NO. 278 OF 2022
WITH
CIVIL APPLICATION NO. 3456 OF 2022
IN WP/278/2022

SHAIKH MOHAMMAD TAUFIQUE AND ANOTHER
VERSUS
CENTRAL BANK OF INDIA AND OTHERS

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Advocate for Applicants : Mr. Aditya N. Sikchi
Addl. GP for Respondent Nos. 4 to 7 : Mr. S.B. Yawalkar
Advocate for Respondent No. 1 : Mr. K.B. Deshpande

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CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.

DATE : 10th MARCH, 2022

PER COURT :-

1. The present petition is moved today seeking clarification of the *status-quo* order pursuant to the order passed by the Presiding Officer, Debt Recovery Tribunal, Aurangabad ("DRT") dated 19-02-2022.
2. In the said order, the Presiding Officer expressed that auction purchaser may seek clarification from the High Court that in case this Tribunal proceeds to decide on cancellation of the auction or otherwise there is stay on the same.
3. Writ petition No. 278 of 2022 was filed by third party, on the premise that he is in possession of the property and his possession is threatened and seal was put on the property. Upon the said representation, on 6th January, 2022 this Court had granted *status quo*.
4. It is submitted that present petitioner has already filed an application for intervention in Securitization Application No. 67 of 2021 filed by auction purchaser. As petitioner has filed intervention

application, we observe that in Securitization Application No. 67 of 2021 the present petitioner shall also to be heard and order of status-quo qua possession is until Presiding Officer, DRT decides the Securitization Application No. 67 of 2021. Further steps naturally will be undertaken in tune with orders that would be passed by the DRT in the Securitization Application No. 67 of 2021 and such other proceeding as DRT may deem fit.

5. Writ petition is disposed of. It is made clear that we had not considered the legal issues on merits.

6. In view of disposal of writ petition, the civil application is disposed of.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE