

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

61 WRIT PETITION NO.9245 OF 2022

**RAJENDRA BHAVDU MAHAJAN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA
THROUGH THE PRINCIPAL SECRETARY AND OTHERS**

...

Advocate for Petitioners: Mr. Ashwin V. Hon

GP for Respondent/State: Mr. D. R. Kale

Advocate for Respondent No.4:

Mr. Sujit Patil h/f. Mr. V. D. Salunke

...

CORAM: RAVINDRA V. GHUGE

AND

ARUN R. PEDNEKER, JJ.

DATE: 04th OCTOBER, 2022

PER COURT:

1. This Petition is being disposed off for two reasons. Firstly, that this Petition is preferred by two agriculturists challenging the sale notice dated 18.07.2022, which is in tune with the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (*hereinafter referred to as '2002 Act'*). Secondly, the sale notice dated 18.07.2022 has already expired and it

is informed by the Respondents that no sale took place.

2. Auction sale is at the behest of a secured creditor. The Petitioners can avail of a remedy under the 2002 Act, if their locus is acceptable.

3. This Petition stands disposed off with liberty.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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