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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8297 OF 2014

M/s. Mangesh Filterations through its Director Shri Mangesh Pushkar Patwardhan and Others … Petitioner

vs.

Maharashtra State Financial Corporation and Another … Respondents

Mr. Rushikesh C. Barge for the Petitioner.
Mr. Indrajeet R. Kulkarni a/w. Ms. Yogita S. Tembe for Respondent No.1.
Ms. Anusha Amin i/b. Mr. Sandesh D. Patil for Respondent No.2.

CORAM : NITIN JAMDAR AND GAURI GODSE, JJ.
DATE : 6 DECEMBER 2022

P.C.:

By order dated 12 September 2014 the prayer for stay to the auction to be held on 15 September 2014 in respect of the Petitioner's property was rejected. Thereafter the Petition has remained pending.

2. Prayer clause (a) is a general direction regarding the declaration of position of law and therefore when the Petition came up before the Court on 7 June 2022 it was observed that the Petition is more in the nature of Public Interest Litigation.

RAJESHWARI RAMESH PILLAI
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3. Since the personal cause of the Petitioner was related to the action, and the ad-interim order was rejected, the position that would arise after auction has taken place, if the same cause survives, it is open to the Petitioner to agitate the same in the appropriate proceedings.

4. Keeping the question of law open, if and when preferred in the appropriate proceeding, we dispose of the Petition.

(GAURI GODSE, J.) (NITIN JAMDAR, J.)