

Arjun

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.11562 OF 2016

M/s. Bharat Udyog Ltd. & Ors. ...Petitioners

Versus

State of Maharashtra & Ors. ...Respondents

Mr. Anil D'souza, for the Petitioners.
Smt. V. S. Nimbalkar, AGP, for the State.

CORAM : MADHAV J. JAMDAR, J.

DATE : 3rd OCTOBER, 2022

P.C. :

1. Mr. Anil D'souza, learned counsel appearing for the Petitioners states that, the impugned order in the present Writ Petition is dated 29th August, 2016 by which Respondent No. 2 i.e. the Divisional Joint Registrar has fixed the upset price. He points out third Proviso to Rule 107 (11) (f) of the Maharashtra Co-operative Societies Rules, 1961 which provides that upset price approved by the Registrar shall be valid for six months from the date of approval. He submits that, therefore, by efflux of time, the challenge in the said order has become infructuous.

2. He also submits that settlement has been arrived at with the bank and substantial amount has been paid to the bank.

3. In view of above, the learned counsel for the Petitioner has instructions not to press the Petition. Thus, the Petition has become infructuous and the same is disposed of as such.

(MADHAV J. JAMDAR, J.)

ARJUN
VITTHAL
KUDHEKAR

Digitally
signed by
ARJUN
VITTHAL
KUDHEKAR
Date:
2022.10.04
19:11:50
+0530