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W.M.P.No.7069 of 2022

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in
WP No.27993 of 2021

THE HON'BLE CHIEF JUSTICE
and
N.MALA,J.

(Order of the Court was made by the Hon'ble Chief Justice)

Heard learned counsel for the applicant on the application filed to seek clarification of the order dated 27.01.2022.

2. Learned counsel has referred to paragraph 2 of the order dated 27.01.2022 to find out whether the court is not permitting the sale of the property. The clarification aforesaid is required for the reason that a prayer was made to allow the bank to auction the property during the intervening period, while the issue as to who is having first charge on the property: whether it is the bank or the Provident Fund Department; is yet to be decided.

3. The issue aforesaid would determine who is having right to auction the property. Without a decision being made on the core issue, the applicant prays to permit them to auction the property. The direction sought for by the bank was not given, which in turn would be



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nothing but granting the final relief by way of interim order because after the sale of the property nothing would remain other than distribution of amount.

4. Thus, we do not find any issue for clarification and accordingly, this application is dismissed. There will be no order as to costs.

(M.N.B., CJ.) (N.M., J.)
11.07.2022

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