

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

57 WRIT PETITION NO.2964 OF 2021

AXIS BANK LTD., THROUGH ITS AUTHORIZED OFFICER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Mrigesh D. Narwadkar.
AGP for Respondent Nos.1 to 4 : Mr. S. G. Sangle.
...

CORAM : **RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, JJ.**

DATE : 02nd January, 2023.

Per Court:

1. This petition is filed for seeking directions to the Sub-Registrar to register the sale certificate issued after an auction sale. Further request is that if the Sub-Registrar has to refuse to register the said certificate, a reasoned order under Section 71 of the Registration Act has to be passed so as to enable the aggrieved party to prefer an appeal under Section 72 of the Registration Act.

2. The learned advocate for the petitioner submits, notwithstanding the above, that this petition is worked out as the auction purchaser backed out from the auction sale and now the petitioner will have to re-conduct an auction sale.

3. In view of the above, this petition is disposed off. Nevertheless, in the event the Sub-Registrar, in the light of the record and circumstances before him in a matter, is against registration of the sale certificate, it is expected that he would pass a reasoned order as is prescribed under Section 71 of the Registration Act.

nga

[SANJAY A. DESHMUKH, J.]

[RAVINDRA V. GHUGE, J.]