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

WRIT PETITION NO.2895 OF 2023

Kishor Dattatray Bagul

... Petitioner

V/s.

Shriram City Union Finance Ltd. & Ors.

... Respondents

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Mr. Sammer Parkar with Mr. Yash Fadtare, Ms. Aprajita Mehta & Mr. Shrinath Badade i/by Mr. Vaibhav D. Kadam for the petitioner.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 11, 2023

P.C.:

- 1.** The impugned order is passed by the Executing Court directing attachment of the petitioner's property and further directing auction sale of the property. The amount of dues as per the affidavit filed by the decree holder is to the extent of Rs.21,89,275/-. According to the petitioner, he has paid Rs.8 lakh during the pendency of the Execution Petition. Still sizable amount is due from the petitioner. Therefore, order of attachment and consequent auction sale does not from error of jurisdiction.
- 2.** During the course of auction proceedings, the petitioner can always pay the decretal amount and apply for cancellation of auction sale.
- 3.** The writ petition, therefore, stand dismissed. No costs.

(AMIT BORKAR, J.)