

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO.1992 of 2023

Mr Someshwar s/o Kashiram Thengri

vs

State of Maharashtra and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Petitioner in person.

Ms S.S.Jachak, Assistant Government Pleader for respondent nos. 1, 2, 8 and 9.

Shri M.Y.Wadodkar, Advocate for respondent no.5.

CORAM :- A.S.CHANDURKAR AND M. W. CHANDWANI, JJ.

DATE :- 19th APRIL, 2023

The petitioner who is a lawyer by profession and appears in person has challenged attachment of his office premises that was mortgaged with the respondent no.3-Bank. Pursuant to the order dated 10.10.2022 passed by the District Magistrate, the movables present at the mortgaged property as well as the mortgaged property itself came to be attached.

2. The petitioner is also aggrieved by the forfeiture of 25% of the sale consideration which he had deposited pursuant to being successful in the auction proceedings.

3. After hearing the petitioner in person and the learned counsel for the respondent-Bank, the following order would serve the interest of justice:

- (i) The petitioner in person shall visit the respondent no.6-the branch of the Bank on 24.04.2023 to enable him to receive back his files and other relevant papers related to his profession.
- (ii) Insofar as other grievance of the petitioner with regard to forfeiture 25% of sale consideration is concerned, he is free

to take legal recourse in accordance with law. All points raised in the writ petition are kept open to that extent.

- (iii) With these observations, the writ petition is disposed of. No costs.

(M. W. CHANDWANI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.