



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

5 WRIT PETITION NO. 2120 OF 2024

DILIP SUBASH GIRIBA AND OTHERS

VERSUS

OSMANABAD JANTA SAHAKARI BANK THROUGH ITS BRANCH
MANAGER

...

Advocate for the Petitioner : Mr. Khadap Rahul D.

...

WITH

WRIT PETITION NO. 2179 OF 2024

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 01st APRIL, 2024

PER COURT:

1. Heard.
2. The learned counsel for the petitioners submits that in terms of the order dated 11.03.2024, the petitioners filed the sale deeds. The learned counsel submits that the sale deeds are in pursuance of the permission granted by the respondent and that the amounts received are deposited with the Bank, however, the learned counsel submits that the application for attachment does not indicate that the amount was deposited. The learned counsel submits that in spite of the amount being

deposited the application of attachment of the property ought not to have been allowed without hearing the petitioners.

3. The learned counsel submits that the say was called for, however, the petitioners were not present and the orders were passed on the same date.

4. Issue notice to the respondents, returnable 29.04.2024.

5. Till the next date the order of attachment to continue, however, there shall be no sale of the mortgaged properties of the petitioners.

[ARUN R. PEDNEKER, J.]

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