

VRJ

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

**CIVIL APPLICATION NO.1214 OF 2017
IN
WRIT PETITION NO.9090 OF 2014**

VAIBHAV
RAMESH
JADHAV
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Omprakash B. Khake	... Applicant
<i>In the matter between</i>	
Vishweshwar Sahakari Bank Ltd.	... Petitioner
V/s.	
Omprakash B. Khake & Ors.	... Respondents

Mr. Anil Anturkar, Senior Advocate i/by Mr. Prathamesh B. Bhargude for the applicant.

Ms. V. R. Raje, AGP for the State/respondent Nos.3, 4 & 6.

Ms. Smita Mane for respondent No.7.

Ms. Sunita S. Bansal for respondent No.1.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 26, 2024

P.C.:

1. The application is filed for adding proposed respondent No.7 as respondent in the present writ petition. The original writ petition arises out of challenge to an order passed by the Divisional Joint Registrar in exercise of power under section 154 of the Maharashtra Cooperative Societies Act, 1960 setting aside auction movable property hypothecated for the loan allegedly obtained by the applicant. The Revisional Authority set aside the auction on

various grounds. The bank has, therefore, filed present writ petition challenging order passed by Revisional Authority.

2. Apprehension expressed on behalf of the applicant is that in case ultimately the bank fails in the writ petition, the loss caused to the applicant needs to be secured as proposed respondent No.7.

3. The request is to add auction purchaser as a party to the revision petition. Since undisputedly proposed respondent No.7 is auction purchaser of the ornaments which were immovable property and subject matter of auction, respondent No.7 is necessary party in the writ petition.

4. Hence, interim application is allowed in terms of prayer clause (a).

5. Necessary amendment to be carried out within two weeks from today.

6. List the writ petition on **11th March 2024**.

(AMIT BORKAR, J.)