

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5160 OF 2024

Vimal Satish Jawale & Anr. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Dhananjay B. Thoke for the Petitioners.

Mr. M. M. Pable, AGP for Respondent Nos.1 to 4.

CORAM : A. S. CHANDURKAR,
JITENDRA JAIN, J.J.

DATE : 5th APRIL 2024.

P.C. :-

1. It is submitted by the learned counsel for the Petitioners that Petitioner No.2 is willing to settle the dues of Respondent No.6-Society by purchasing the mortgaged property. Despite the fact that Petitioner No.1 has been demanding the statement of accounts, the same have not been supplied to the Petitioners and the mortgage property has been put to auction.

2. Issue notice to the Respondents, returnable on **22nd April 2024**.

3. The learned Assistant Government Pleader waives notice for Respondent No.1 to 4. Other Respondents be served by all permissible modes.

4. As Petitioner No.1 desires to seek benefit under the one time settlement scheme and is willing to deposit 10% of the outstanding amount of Rs.5,40,00,000/- approximately, the Petitioner No.1 is permitted to do so. If such deposit is made then the proposal for one time settlement be considered in accordance with law and the decision be indicated on the returnable date.

5. Though, the auction scheduled on 6th April 2024 can proceed, the bids received shall not be finally accepted till the next date of hearing.

6. Parties to act on the authenticated copy of this order.

[JITENDRA JAIN, J.]

[A. S. CHANDURKAR, J.]