

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

**WRIT PETITION NO. 8696 OF 2024**

Jankalyan Nagari Sahakari Patsanstha  
Throu. Its Manager Sakharam S Retharekar ...Petitioner  
Versus  
The State Of Maharashtra Throu.  
Govt Pleader And Ors. ...Respondents

**WITH  
WRIT PETITION NO. 8697 OF 2024**

Jankalyan Nagari Sahakari Patsanstha  
Somwar Peth Branch Thr.  
Its Manager Sakharam S. Retharekar ...Petitioner  
Versus  
State Of Maharashtra Thr. Gp And Ors. ...Respondents

**WITH  
WRIT PETITION NO. 8698 OF 2024**

Jankalyan Nagari Sahakari Patsanstha  
Throu. Its Manager ...Petitioner  
Versus  
The State Of Maharashtra Throu.  
Govt Pleader And Ors. ...Respondents

**WITH  
WRIT PETITION NO. 8489 OF 2024**

Jankalyan Nagari Sahakari Patsanstha  
Somwar Peth Branch Thr. Its  
Manager Sakharam S. Retharekar ...Petitioner  
Versus  
State Of Maharashtra Thr. Gp And Ors. ...Respondents

**WITH  
WRIT PETITION NO. 8699 OF 2024**

Jankalyan Nagari Sahakari Patsanstha  
 Somwar Peth Branch Thr. Its  
 Manager Sakharam S. Retharekar ...Petitioner  
 Versus  
 State Of Maharashtra Thr. Gp And Ors. ...Respondents

....

Mr.Surel Shah i/b Mr.Vishwajeet Mohite and Mr.Vikram Kulkarni for  
 the Petitioner.

Mr.Ajit J. Kenjale with Adv.Sai Rajendra Kadam and Adv.Azharuddin  
 Khan for Respondent Nos.4 to 6.

Ms.S.S. Jadhav, A.G.P. for Respondent Nos.1 to 3 – State.

Mr.Ketan Joshi for Auction Purchaser – Respondent Nos.7 to 10.

....

**CORAM : AVINASH G. GHAROTE, J.**  
**DATE : 26<sup>th</sup> JUNE 2024**

**P.C.:**

1. Learned counsel for the respondents does not dispute his liability to pay the balance of the loan amount as restructured which would come around approximately Rs.2.60 crores subject to verification. He however has a buyer, who is willing to purchase the property mortgaged with the petitioner bank by paying the entire amount outstanding for which the buyer intends to avail the loan from another bank, for which purpose the list of original documents which are with the petitioner bank is

required. The learned counsel for the petitioner undertakes to place on record list of original documents which are in possession with them. The petitioner is also willing to give a conditional NOC for mortgage of the property to another bank provided the payment to the petitioner bank is ensured. Learned counsel for the respondent no.1 undertakes not to prosecute the proceedings before DDR for possession of the property for a period of one week from today.

2. List the matter on 28.6.2024.

**(AVINASH G. GHAROTE, J.)**