



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

WRIT PETITION NO. 1755 OF 2024

(Union Bank of India...Vs... The State of Maharashtra and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr. S.D. Ingole, counsel for petitioner,
Mr. M.K. Pathan, AGP for respondent Nos. 1 & 2/State.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : MARCH 14, 2024

We have heard learned counsel Mr. S.D. Ingole for petitioner – a nationalized bank.

2. Objection is to creation of charge by GST authorities over the properties of respondent No. 3 which was mortgaged with the petitioner. Once the petitioner has preferential charge over the properties which was mortgaged, we hardly see any reason to cause interference in writ jurisdiction thereby directing removal of charge of the GST authorities as the petitioner's preferential charge will always duress.

3. With above observations, we refuse to cause interference in extra ordinary jurisdiction.

4. Petition stands disposed of.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)