



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

WRIT PETITION NO.1005 OF 2024

(Mahesh s/o Suresh Kharche and others Vs. Radhakrishna Urban Co-operative
Society Ltd., Malkapur, Dist. Buldana and others)

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

Court's or Judge's orders.

Mr. M. R. Joharapurkar, Advocate for Petitioners.
Mr. R. N. Badhe, Advocate for Respondent Nos.1 & 2.
Mr. A. A. Madiwale, AGP for Respondent Nos.3 & 4/State.

CORAM: BHARAT P. DESHPANDE, J.

DATE: 14th MARCH, 2024.

CIVIL APPLICATION (W) NO.790/2024:

Heard.

2. This is an application for grant of stay to the effect of notice dated 01.03.2024 only on the ground that it is not disclosing at the auction proposed subject to the decision in the writ petition.

3. The learned counsel for the respondent now hands the corrected notice as well as the learned counsel for the petitioner placed on record the copy of the corrected notice along with the pursis wherein it is shown that the auction is subject to the decision which will be passed by this Court in the present petition. Thus, nothing survive in the present civil application and accordingly, the same is disposed of.

CIVIL APPLICATION (W) NO.785/2024:

Heard.

2. The present application for amendment of the petition by adding subsequent facts as well as grounds. Basically the petitioner is now challenging fresh notice of auction dated 01.03.2024, in the present application.

3. Since it relates to the subsequent events, the amendment could be allowed by giving opportunity to the respondent to file reply to the amended petition. Accordingly, civil application for amendment stands allowed. The petitioner to amend the petition within one week and supply the copy of amended petition, so that the respondents can file reply affidavit, if any, within one week thereafter.

4. Civil application stands disposed of accordingly.

(BHARAT P. DESHPANDE, J.)