

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

WRIT PETITION NO.9273 OF 2024

Arvind Shrirang Chavan & Anr.

....Petitioners

V/S

Mandal Adhikari Karanje & Ors.

....Respondents

Mr. Ajit S. Karwande *for the Petitioners.*

Mr. S.D. Rayrikar, AGP *for Respondent Nos.1 and 2 / State.*

Mr. Ajit Kenjale *with Mr. Azharuddin Khan for Respondent No.3-Bank.*

**CORAM: SANDEEP V. MARNE, J.
DATE : 17 MARCH 2025.**

P.C.:

The Petition challenges auction sale for recovery of dues by Respondent No.3-Bank. The Petition was entertained by issuing notice to the Respondents by order dated 3 July 2024 subject to the condition of deposit of the entire recoverable amount. However Petitioners have admittedly failed to deposit the amount as directed by this Court vide order dated 3 July 2024. Since the Petition was entertained subject to deposit of the recoverable amount, the Petition will have to be necessarily dismissed as Petitioners have failed to comply with the order dated 3 July 2024. Petitioners cannot stall the auction sale without showing willingness to deposit the recoverable amount

in this Court. Considering the conduct of the Petitioners, this Court is not inclined to exercise jurisdiction under Article 227 of the Constitution of India. The Petition is accordingly **rejected**.

(SANDEEP V. MARNE, J.)

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