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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11762 OF 2025

JITENDRA
SHANKAR
NIJASURE

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JITENDRA SHANKAR
NIJASURE
Date: 2025.09.11
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Galaxy Tyres and Motors

... Petitioner

Versus

The State of Maharashtra and Ors.

... Respondents

Mr. Vaibhav Ugle, with Mr. Santosh Jadhav for the Petitioner.

Mr. A.A. Alaspurkar, AGP for Respondent Nos.1, 4 and 5.

**CORAM : R.I. CHAGLA AND
FARHAN P. DUBASH, JJ.**

DATE : 10TH SEPTEMBER, 2025

ORDER :

1. By this Writ Petition, the Petitioner is seeking quashing and setting aside of possession notices dated 29th July, 2025 in respect of the subject property. These possession notices have been issued inspite of the proceedings before the Additional Chief Judicial Magistrate, 3rd Court, Esplanade, Mumbai having been withdrawn by the Respondent – Bank / Applicant therein on 18th June, 2025.

2. Issue Notice to the Respondent No.2 – Bank returnable on 29th September, 2025. In addition to Court Notice, the Petitioner shall serve the Respondent No.2 – Bank by way of private service and file Affidavit of Service prior to the next date.

3. Till then the Respondent No.2 – Bank shall not act upon the auction notice dated 13th August, 2025.

4. At this stage, the learned Counsel appearing for the Petitioner has sought permission to amend the Writ Petition by incorporating auction notice dated 13th August, 2025. Permission is granted.

5. The Petitioner shall carry out amendment in the Writ Petition within a period of one week from today. Re-verification is dispensed with.

[FARHAN P DUBASH, J.]

[R.I. CHAGLA J.]