



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

Civil Application (CAW) No. 2916 of 2025

in

Writ Petition No. 4341 of 2025

[Bank of Baroda, Regional Stress Assets Recovery Branch, Nagpur acting through
Authorized Officer/Chief Manager Mr. Devambotla Krishna **vs.** Union of India,
Ministry of Finance, Department of Revenue, New Delhi and ors.]

Office Notes, Office Memoranda
of Coram, Appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. S. K. Verma, Senior Advocate assisted by Mr. S. N. Fuladi,
Advocate for the applicant/petitioner
Mr. Anand Parchure, Advocate for respondent nos. 1 and 2
Mr. B. G. Kulkarni, Advocate for respondent nos. 3 and 6
Mr. A. T. Purohit with Mr. S. S. Sohoni, Advocate for the
intervener

CORAM: **ANIL L. PANSARE**
AND RAJ D. WAKODE, JJ.

DATE : **18-12-2025.**

Heard.

2. Permission to withdraw the petition is sought because respondent no. 2 – Income Tax Department has withdrawn attachment of the property which in fact was subject matter of challenge. That being so, we permit the petitioner to withdraw the petition.

3. Learned counsel for respondent nos. 3 and 6 – borrowers submits that the auction process has been conducted in breach of the settled norms. According to him, among other violations, the petitioner has sold the property for a value below market price. Thus, it

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appears that respondent nos. 3 and 6 intends to challenge the auction process. Present petition, however, pertains to action taken by respondent no. 2 attaching properties under question which were mortgaged by respondent nos. 3 and 6 with the petitioner and obtained secured loan. We, accordingly grant liberty to the respondents to avail remedy as is available in law.

4. With the above observations, the petition is disposed of as withdrawn.

5. At the request of learned counsel for respondent nos. 3 and 6, effect to auction process shall be given after 5-1-2026.

6. All questions are kept open.

7. The amount deposited by the petitioner shall be returned back to it as expeditiously as possible.

(JUDGE)

(JUDGE.)

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