

pdpIN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION STAMP NO. 93324 OF 2020

Uttam Ramdas Mhetre

..Petitioner

Vs.

The Official Liquidator & Ors.

..Respondents

Mr. Yatin Malvankar for petitioner.

Mr. Girish Godbole a/w Mr. Ashish Pyasi, Zaid Mansuri & Dinesh Jadhvani i/by Dhir & Dhir Associates for respondent Nos.1 and 2.

Mr. P. P. Kakade, Govt. Pleader with Mr. M. M. Pable, AGP, Smt. N. M. Mehra, AGP for respondent No.3-State.

**CORAM: DIPANKAR DATTA, CJ. &
G. S. KULKARNI,J.****OCTOBER 28, 2020.**

P.C.

1. Abhishek Corporation Limited is a company in liquidation. The Official Liquidator has proposed an auction sale of certain immovable properties treating the same as assets of the company in liquidation. However, *prima faice*, it appears that such properties are public properties, which could not have been transferred to the company in liquidation by persons who were given only occupancy rights. In such circumstances, we have no other option but to stay the auction process. It is ordered accordingly. This order shall remain effective until further orders.

2. Mr. Godbole, learned advocate appearing for the Official Liquidator, submits that he is yet to receive the affidavit-in-reply of the respondent No.3/Collector, Kolhapur. A copy of such affidavit shall be shared with him. The pleadings be completed within two weeks of reopening of this Court after Diwali Vacation.

3. The PIL petition shall be listed in due course.

4. This order will be digitally signed by the Sr. Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

G. S. KULKARNI, J.

CHIEF JUSTICE