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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

63 WRIT PETITION NO. 13145 OF 2017

NALLURI GIRI PRASAD N R JANAKIRAM
VERSUS
MOHAMMAD SHAMIM ANSARI AND OTHERS

Mr.S.V.Adwant, Advocate for the petitioner.
Mr.V.D.Sapkal a/w Priyanka Kale i/b Mr.S.R.Sapkal, Advocate for
respondent No.1.

(CORAM : KISHORE C. SANT AND
SUSHIL M. GHODESWAR, JJ.)

DATE : 20 JANUARY, 2026

PER COURT :

1. Heard the matter for some time.
2. The petitioner has challenged the order passed by the learned CP, D.R.A.T. Mumbai in Appeal No.67/2011 dated 31.07.2017 wherein the challenge of the petitioner was to an order passed by the learned PO, D.R.T. Aurangabad in R.P. No.43/2006. The basic challenge is to the auction of the property of the petitioner, which was put for sale in recovery proceeding.

3. During the hearing, it transpired that though the petition is pending since 2017, the petitioner has not deposited any amount to show the bonafides. Before entertaining the petition further, this Court find that it would be necessary to test the bonafides of the petitioner. It is informed that the property, which is already auctioned and pursuant to that even a certificate of confirmation of sale, which is disputed by the petitioner, is also issued under the signature of Recovery Officer, D.R.T.Aurangabad.

4. It also transpired from the affidavit of the respondents that though the property was auctioned in 2007, the same was acquired subsequent thereto. However, since the name of the petitioner was shown in the property details, the amount of compensation is paid to the petitioner. The amount of compensation is Rs.1,18,73,290/- towards compensation of land and further amount of Rs. 80,51,040/- towards compensation for value of trees and structure.

5. This Court find that when the property is already auctioned and compensation is paid to the petitioner, the petitioner should deposit

an amount of Rs.1,18,73,290/-, which he has received on 17.06.2014 alongwith 50% of the interest amount, within 12 weeks from today, in the office of this Court.

6. Place the petition for further consideration on 17.03.2026. It is expected to serve the respondent Bank about the next date of hearing. If the Bank wants to place any affidavit on record, the Bank may place it on record before the next date.

(SUSHIL M. GHODESWAR, J.)

(KISHORE C. SANT, J.)