

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CONTEMPT PETITION NO. 312 OF 2014
IN
WRIT PETITION NO. 7530 OF 2010**

Govind Eknath Shelke and others .. Petitioners

Versus

Anil Kawade, District Revenue
Collector, Ahmednagar .. Respondents

Shri Parag V. Barde, Advocate for Petitioners.
Shri K. G. Patil, Addl.G.P. for the Respondent.

**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATE : 16TH JULY, 2015.

PER COURT :

. We have heard Mr. Barde, the learned counsel for the petitioner, who submits that, inspite of directions of this Court, the respondent has not implemented the order in its true letter and spirit. Since 1998 the petitioners are fighting for the rights. The revenue recovery certificate has only become paper certificate in as much as fruits of the said certificate are not given to petitioners. The District Revenue Collector is also liquidator of the society, however, no steps are been taken by the respondent in this regard.

2. Mr. Patil, the learned Additional Government Pleader submits that, in fact, the properties of the said Mula Shetkari Sahkari Sut Girni Maryadit, Rahuri are attached by the Co-operative Court. The liquidator is appointed over the said society and this Court in Writ Petition No. 610 of 2001 vide order dated 09.06.2015 has extended the time to sell the property of the said society within six month and has also directed that the amount recovered by sell of assets shall be distributed as per the law amongst the creditors.

3. It is stated by the learned counsel for petitioners that, the claim is already lodged with the liquidator. The liquidator while distributing the sale proceeds is bound to take into consideration claim of the present petitioners, also along with claims of the secured creditors as is laid down under the law. The petitioners may prosecute their claim with the liquidator. The present respondent is a liquidator also of the said society. The respondent shall consider the claim of petitioners in accordance with law at the time of distribution of sale proceeds. The contempt petition is disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]