

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1639 OF 2011
WITH
CIVIL APPLICATION NO. 2409 OF 2015

Yuvraj S. Waghmare .. Petitioner
vs.
The Special Recovery Officer,
C/o. Abhyuday Co-op. Bank Ltd. & Ors. .. Respondents

WITH
WRIT PETITION NO. 1640 OF 2011
WITH
CIVIL APPLICATION NO. 2410 OF 2015

Yuvraj S. Waghmare .. Petitioner
vs.
The Special Recovery Officer,
C/o. Abhyuday Co-op. Bank Ltd. & Ors. .. Respondents

WITH
WRIT PETITION NO. 1641 OF 2011
WITH
CIVIL APPLICATION NO. 2411 OF 2015

Yuvraj S. Waghmare .. Petitioner
vs.
The Special Recovery Officer,
C/o. Abhyuday Co-op. Bank Ltd. & Ors. .. Respondents

WITH
WRIT PETITION NO. 1642 OF 2011
WITH
CIVIL APPLICATION NO. 2413 OF 2015

Maruti Sopan Rao Bhalekar .. Petitioner
vs.
The Special Recovery Officer,
C/o. Abhyuday Co-op. Bank Ltd. & Ors. .. Respondents

WITH
WRIT PETITION NO. 1643 OF 2011
WITH
CIVIL APPLICATION NO. 2412 OF 2015

Maruti Sopan Rao Bhalekar .. Petitioner

vs.

The Special Recovery Officer,
C/o. Abhyuday Co-op. Bank Ltd. & Ors. .. Respondents

WITH
WRIT PETITION NO. 1644 OF 2011
WITH
CIVIL APPLICATION NO. 2414 OF 2015

Yuvraj S. Waghmare .. Petitioner

vs.

The Special Recovery Officer,
C/o. Abhyuday Co-op. Bank Ltd. & Ors. .. Respondents

WITH
WRIT PETITION NO. 1645 OF 2011
WITH
CIVIL APPLICATION NO. 2415 OF 2015

Maruti Sopan Rao Bhalekar .. Petitioner

vs.

The Special Recovery Officer,
C/o. Abhyuday Co-op. Bank Ltd. & Ors. .. Respondents

WITH
WRIT PETITION NO. 1646 OF 2011
WITH
CIVIL APPLICATION NO. 2416 OF 2015

Maruti Sopan Rao Bhalekar .. Petitioner

vs.

The Special Recovery Officer,
C/o. Abhyuday Co-op. Bank Ltd. & Ors. .. Respondents

Mr. Manoj J. Bhatt for Petitioner.
Mr. Madhur Rai i/b. PRS Legal for Respondent No. 2.

CORAM : M. S. SONAK, J.
DATE: 23 SEPTEMBER 2015

P.C. :-

1] These petitions were admitted on 22 September 2011. At the stage of admission the following order was made :-

“ The grievance of the petitioner is that though the petitioner has raised an objection under Sub Rule 19 of Rule 107 of the Maharashtra Co-operative Societies Rules, 1961 to the attachment, the said objection has not been decided by the Special Recovery Officer. None appears for the second respondent.

2. Rule.

3. Rule on interim relief made returnable on 24th November, 2011.

4. If objection raised by the petitioner to the attachment is still pending, the Recovery Officer shall proceed to decide the same as expeditiously as possible.

5. Ad-interim relief granted on 23rd February, 2011 as clarified by further order dated 24th February, 2011 will continue to operate till the returnable date.”

2] It is now pointed out that the Special Recovery Officer, by order dated 12 May 2014 has already disposed of the objections raised by the petitioners. In such circumstances, nothing further survives in these writ petitions and the same are liable to be disposed of.

3] However, the disposal of these writ petitions, shall not affect the right of the petitioners to institute appropriate proceedings against the order dated 12 May 2014. If such proceedings are instituted, then the Authority concerned will decide the same in accordance with law and on their own merits. In order to facilitate the institution of such proceedings, by way of interim relief, the orders of attachment, against which the petitioners have lodged their objections, shall not be enforced for a period of eight weeks from today. The petitioners shall also not create third party rights or part with possession of the properties in respect of which the attachment orders had been made.

4] It is made clear that this Court has not examined the merits of the matters and therefore, all contentions of all parties in this regard are kept open.

5] With the aforesaid limited interim relief, these petitions are disposed of. There shall be no order as to costs.

6] Since civil applications were seeking disposal of these petitions, they do not survive and even the same are disposed of accordingly.

(M. S. SONAK, J.)

CERTIFICATE

“Certified to be true and correct copy of the original
signed Order.”