

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION STAMP NO.15015 OF 2015

Vilas Chandrakant Gaokar and ors. : Petitioners.
Versus
The C K P Co-operative Bank Ltd and ors. : Respondents.

**Mr. Bharat Gadhavi a/w Mr. Tejesh Dande i/by Tejesh Dande & Associates
for the Petitioners.**
Mr. Bhupesh V Samant for the Respondents.

CORAM : R. M. SAVANT, J.
DATE : 12th June 2015

P.C.

1 The writ jurisdiction of this court is invoked against the notice of attachment issued at the behest of the Respondent No.1 Bank by the Special Recovery Officer in terms of the new set of Co-operative Rules which have come into force in September 2014. The modicum of procedure which is prescribed in Rule 11(d-1) would have to be followed by the Special Recovery Officer before sale could be effected. The Petition challenging the attachment notice on the premise that the procedure would not be followed by the Special Recovery Officer is premature. Hence it is not necessary to entertain the above Petition. It would always be open for the Petitioner to challenge the sale on such grounds as are available and permissible in law after the sale takes place. With the aforesaid observations the above Writ Petition is dismissed.

[R.M.SAVANT, J]