

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**APPELLATE SIDE CIVIL JURISDICTION****WRIT PETITION NO. 5987 OF 2014**

Vishwas Kashinath Mayekar & Ors.

....Petitioners.

Vs.

The State of Maharashtra & Ors.

....Respondents.

Mr. Rakesh Sawant for the Petitioners.

Ms. M.S. Bane, "B" Panel counsel for Respondent No.1.

Mr. Ajay David for Respondent No.2.

CORAM:- ANOOP V. MOHTA, J.

DATE :- 3 FEBRUARY 2015.

PC:-

The learned counsel appearing for the Liquidator, on instructions, makes statement that the Appellate Authority i.e. Divisional Joint Registrar, Co-operative Society after hearing the other parties has set aside order under Section 105(H) of the Maharashtra Co-operative Societies Act, 1960 and so also the Warrant of Attachment dated 4 May 2014. Now, the Liquidator is therefore, required to hear all the debtors again and will pass order in accordance with law.

2 In view of this, without observing anything on merits and by keeping all points open, including the issue of jurisdiction so raised by the Petitioner, as well as the maintainability of the action so initiated, I am inclined to dispose of the present Writ Petition. The Liquidator to hear the Petitioners afresh along with the other debtors and pass appropriate order in accordance with law.

3 The Writ Petition is accordingly disposed, of with liberty.

(ANOOP V. MOHTA, J.)