

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2517 OF 2016
WITH WP/2521/2016 WITH WP/2522/2016 WITH WP/2523/2016

YANTRIK ENGINEERING PVT LTD
VERSUS
SPECIAL RECOVERY OFFICER AND OTHERS

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Advocate for Petitioner : Mr. Suvidh S. Kulkarni And Sitesh S Sharma
Advocate for respondent : Mr. R.N. Dhorde, Senior Advocate h/f. Mr. N.R.
Bhavar.

CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.

DATE : 20th APRIL, 2016.

PER COURT:

1] Heard. Mr. Dhorde, learned Senior Counsel for the respondent States that the petitioner has an alternate remedy even against the order under Rule 107(19) of the Maharashtra Cooperative Societies Act.

2] Said order appears to have been passed during the pendency of the present proceedings. Though learned counsel for the petitioner has sought to canvass that the availability of the alternate remedy is no bar to entertain the present petitions, we are not inclined to consider the said contention, being a case of monetary transactions and an effective and efficacious remedy is available under the Statute itself. In the light of that, the writ petitions are disposed of with liberty to the petitioners, to avail the alternate remedy.

3] The forum where the proceedings would be filed shall consider the time spent in prosecuting the present petitions. All contentions of the

respective parties are kept open. The interim order of protection granted by this court vide order dated 29.3.2016, shall continue for a period of 10 days from today, so as to enable the petitioner to avail the alternate remedy. Needless to state that on lapse of 10 days, the protection granted by this court shall come to an end. No costs.

[K.K. SONAWANE,J.]

[S.V.GANGAPURWALA,J]

grt/-