

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

WRIT PETITION NO. 12566 OF 2015

Prabhakar Vedu Patil and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Mukulanand R. Wagh, Advocate for Petitioners.
Ms. S. S. Raut, A.G.P. for Respondent Nos. 1, 2, 21, 3 and 3A.
Shri Vinod Patil, Advocate for the Respondent No. 5.

**CORAM : S. V. GANGAPURWALA AND
K. K. SONAWANE, JJ.
DATE : 09TH AUGUST, 2016.**

PER COURT :

. Mr. Wagh, the learned counsel for petitioners submits that, in spite of the fact that, revenue recovery certificate has been issued in favour of petitioners pursuant to the orders of the Consumer Forum, the amount is not paid to petitioners. Now the society has gone in liquidation and the respondent No. 5 is appointed as liquidator. Some amount is paid to petitioners, but it is only a paltry sum, major amount is outstanding. The respondents be directed to make payment.

2. Mr. Patil, the learned counsel appears for the respondent No. 5 and submits that, the respondent No. 5 has taken charge of

the respondent No. 4/society as a liquidator few days back. The society is suffering from financial crisis. The respondent No. 5 shall endeavor to initiate recovery proceedings immediately. Some payment is made to petitioners and according to the respondent No. 5 only Rs. 3,70,210/- is due and payable and an amount of Rs. 5,77,660/- is paid to the petitioners.

3. Considering the affidavit filed by the respondent No. 5 and after hearing the learned counsel for petitioners, the learned counsel for the respondent No. 5 and the learned A. G. P., we pass following order.

4. The petitioners shall approach the respondent No. 5 with regard to the payment of remaining amount. The respondent No. 5 shall consider the claim of petitioners and take steps expeditiously as permissible in law. The writ petition is disposed of. No costs.

[K. K. SONAWANE, J.]

[S. V. GANGAPURWALA, J.]

bsb/August 16