

Satish Kumar Harbanslal Goyal	}	Petitioner
versus		
State of Maharashtra and Ors.	}	Respondents

Mr. Madhur Rai i/b. M/s. PRS Legal for
Respondent Nos. 2 and 3.

DATED :- FEBRUARY 18, 2016

After the detailed hearing on the earlier date, we had directed notice to be issued to Respondent Nos. 2 and 3. That notice has now been served. It is evidenced from a perusal of the Petition and all Annexures thereto that the Petitioner questions the auction sale. If he has questioned the attachment and the auction/sale of the property as a consequence thereof, then, in terms of Rule 107(19) of the Maharashtra Co-operative Societies Rules, 1961, the Petitioner can approach the Special Recovery Officer, who has proceeded to attach and sell the property in

question. If the attachment which is wrongful and illegal as alleged is proved by the Petitioner, then, all consequences would follow. When the Petitioner has alternate and efficacious remedy, then, we need not interfere in the Writ Jurisdiction. The Writ Petition is disposed of by clarifying that we have not expressed any opinion on the rival contentions.

(G.S.PATEL, J.)

(S.C.DHARMADHIKARI, J.)