

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

WRIT PETITION NO. 9983 OF 2016

WITH

CIVIL APPLICATION (ST) NO. 22917 OF 2016

M/s. Precision Fasteners and Components & Anr. ..Vs.. Progressive
Co-operative Bank Ltd. & Ors.

Office Notes, Office Memorandum of appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's orders
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Mr. Devendra Avhad I/by. Thodur Law
Associates for Petitioners.

Mr. S.D.Rayrikar, AGP for Respondent
Nos.1,2,7 and 8.

Mr. Kunal Bhanage for Applicant.

CORAM : K. K. TATED, J.

DATE: JUNE 19, 2017.

P.C. :

. Heard learned Counsel for parties.

2. By this petition under Section 227 of the Constitution of India, Petitioners are challenging the order dated 27th May, 2015 passed by Respondent No. 5 and Recovery Certificate dated 4th May, 2016 in Recovery Application No. 3480 of 2004 holding that the Petitioners are liable to pay sum of Rs. 16,94,580/- to the Respondent – Bank.

3. The learned AGP Mr. Rayrikar appearing on behalf of State raised preliminary objection about the maintainability of the present Writ Petition. He submit that an alternate remedy is available to the Petitioners under Section 154 of the Maharashtra Co-operative Societies Act, 1960.

4. Considering the objection raised by the learned AGP and impugned order, I am of the opinion that an alternate remedy is available to the Petitioners to challenge the impugned order. Hence, Writ Petition stand rejected.

5. The pending Civil Application (St) No. 22917 of 2016 stand disposed of in view of disposal of the Writ Petition.

(K.K.TATED, J.)