

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.369 OF 2018
(Pavan Dattaprasad Somani Vs. The State of Maharashtra and
others)

Mr.R.J.Nirmal, Advocate for the petitioner.
Mr.S.K.Tambe, AGP for respondent Nos.1 and 2.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 10/01/2018

PER COURT :

1. This matter is heard for some time. A recovery certificate dated 22/12/2017 issued u/s 101 of the Maharashtra Co-operative Societies Act has been directly challenged in this Court without availing of the statutory remedy u/s 154 r/w sub section 2-A of the M.C.S. Act. It is stated that the assessed amount alongwith interest is about 36,00,000/-.

2. Learned Advocate for the petitioner submits on instructions from the petitioner present in the Court that he desires to avail of the remedy u/s 154 of the M.C.S.Act for challenging the impugned order and desires to withdraw this petition.

3. Considering the above, this petition is disposed of, as

withdrawn on instructions.

4. At this stage, the learned Advocate submits on instructions that 50% of the assessed amount shall be deposited under Sub Section 2-A of Section 54 before the Revisional Authority while preferring the revision application.

5. Considering the said statement, the petitioner would be at liberty to do so and the time spent by the petitioner in this Court from 04/01/2018 till the passing of this order, will be considered for the purpose of limitation, if any.

(RAVINDRA V. GHUGE, J.)