

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

WRIT PETITION NO. 4223 OF 2018

**AJMER BALAPRASAD DATTAPRASAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for the Petitioner : Shri A. V. Rakh
AGP for Respondent Nos. 1, 2 and 4 : Shri S. R. Yadav- Lonikar
Advocate for Respondent No.3 : Shri P. G. Deshmukh h/f.
Shri Y. P. Deshmukh

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 29th SEPTEMBER, 2018.

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PER COURT :

1. The petitioner has directly challenged the recovery certificate dated 26/02/2016 under Section 101 of the Maharashtra Co-operative Societies Act, 1960, in this Court, by this petition lodged on 18/04/2018.

2. Since a statutory efficacious remedy under Section 154 with the mandate of law to deposit 50 % of the assessed amount under Sub-Section 2A of the MCS Act, 1960, is in place, I do not intend to entertain this petition. The grounds raised in the petition are such which can be considered by the revisional authority.

3. In view of the above, this petition is disposed off. If the petitioner approaches the revisional authority under Section 154 of the MCS Act within 3 (three) weeks from today, the time spent by the petitioner in this Court from 18/04/2018 can be considered as a good ground for condonation of delay.

(RAVINDRA V. GHUGE, J.)

shp/-