

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

WRIT PETITION NO. 9699 OF 2017
WITH
CIVIL APPLICATION NO. 12122 OF 2018

Bapusaheb Kute Memorial and
Research Center

... Petitioner

versus

Pravara Sahakari Bank Ltd., Loni,
and others

... Respondents

Mr Sattyajit S. Bora, Advocate for petitioner

Mr V. H. Dighe, Advocate for respondents no. 1 and 3

CORAM : SUNIL P. DESHMUKH, J.

DATE : 1st October, 2018

ORDER :

1. Heard learned counsel for parties.
2. Learned counsel for respondents states that writ petition may not be entertained since petitioner has alternate remedy available in the form of revision under section 154 of the Maharashtra Co-operative Societies Act, 1959.
3. Learned counsel for petitioner, however, states that there is a threat of loss of possession since notice has been issued by tahsildar on 14-09-2018 for taking over possession of the property on 03-10-2018. Copy of the notice is taken on record and marked 'X' for the purpose of identification.

4. In the circumstances, in order to enable petitioner to avail of alternate remedy, the effect and operation of the notice issued may be kept in abeyance for a period of fifteen days from today. It is made clear that protection granted to petitioner as aforesaid is no consideration of merits of the matter or law.
5. If approach is made by petitioner in accordance with law, the authority concerned to proceed with and decide the matter uninfluenced by this order.
6. Writ petition is accordingly disposed of.
7. Civil application does not survive and stands accordingly disposed of.

SUNIL P. DESHMUKH
JUDGE

pnd/-