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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8403 OF 2016

Aujmuddin B. Sawar	...Petitioner
V/s.	
State of Maharashtra & Ors.	...Respondents

Mr.Kishor Patil I/b Mr.Kalpesh Patil for the Petitioner.

Ms.Kavita N. Solunke, A.G.P. for the State – Respondent Nos.1, 4 and 5.

Mr.T.D. Deshmukh for the Respondent Nos.2 and 3.

CORAM : R.D. DHANUKA, J.
DATE : 16TH JULY, 2018.

P.C. :-

1. By consent of parties, the report dated 20th August, 2015 submitted by the Deputy Registrar, Co-operative Societies, Karad is set aside.
2. Mr.Deshmukh, learned counsel appearing for the respondent nos.2 and 3 on instructions states that the proclamation dated 8th February, 2016 annexed to the petition as Exhibit “T” in respect of the proposed sale of the properties of the petitioner is withdrawn and the respondent nos.2 and 3 be granted liberty to pursue their remedy available in law against the other parties to the recovery proceedings. The statement is accepted. The respondent

nos.2 and 3 are allowed to withdraw the proclamation dated 8th February, 2016 with liberty to pursue the other proceedings available in law against the other parties to the recovery proceedings. It is not in dispute that insofar as the petitioner is concerned, he has already repaid all the loans taken personally by him and also where he stood as guarantor. The respondent nos.2 and 3 do not have to recover any amount from the petitioner insofar as those loans are concerned.

3. In view of withdrawal of the proclamation by the respondent nos.2 and 3, the attachment of the properties of the petitioner, if any, based on the said order of proclamation also stands vacated.

4. Mr.Patil, learned counsel appearing for the petitioner, on instructions, states that he has no intention to sell the property of the petitioner for a period of six months from today. The statement is accepted.

5. The writ petition is disposed of in aforesaid terms. There shall be no order as to costs.

(R.D. DHANUKA, J.)