

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

WRIT PETITION NO. 3260 OF 2018

Mrs. Pramodini Maheshwar Kakodkar ... Petitioner

V/s.

The State of Maharashtra & Ors. ... Respondents

Mr. Saurabh M. Railkar for the Petitioner.

Ms. Jyoti P. Jadhav, A.G.P. for the State-Respondent Nos.1, 3 and 4.

Mr. Vijay S. Gharat for Respondent No.2.

**CORAM : A.A. SAYED AND
K.K. SONAWANE, JJ.**

DATE : 11th JULY, 2018.

P.C. :

1 We are informed by the learned Counsel for the Petitioner that the Petitioner has filed a Revision Application before the Divisional Joint Registrar challenging the impugned Recovery Certificate dated 21.08.2015, which is pending. Pending the Revision Application, the Recovery Officer issued notice dated 28.02.2018 for attachment of the flat being flat No. B-06, Gokul Co-operative Housing Society Ltd., Gokul Niwas, 122, Lt. Prakash Kotnis Marg, Mahim, Mumbai – 400 016, which is also challenged in this Petition.

2 The learned Counsel for the Petitioner, on instructions, states that the Petitioner shall pursue the Revision Application before the Divisional

Joint Registrar and pay the 50% mandatory deposit to the Respondent No.2- Society in terms of Section 154 (2A) of the Maharashtra Co-operative Societies Act within four weeks. We accept the statement. The Petitioners are permitted to withdraw the amount of Rs.50,000/- deposited in this Court.

3. The Divisional Joint Registrar shall hear and dispose of the Revision Application expeditiously and in any event within six months from today. Until the decision of the Divisional Joint Registrar, no coercive steps shall be taken in respect of the flat in question. If the 50% mandatory deposit is not made within four weeks, the Revision Application of the Petitioner filed before the Divisional Joint Registrar shall be dismissed by the Divisional Joint Registrar.

4 The Petition is disposed of in the aforesaid terms.

Waishali
Sushil
Waghmare

Digitally signed
by Waishali
Sushil Waghmare
Date: 2018.07.17
16:10:32 +0530

(K.K. SONAWANE, J.)

(A.A. SAYED, J.)