

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1974 OF 2018

Nandlal s/o Hiralal Joshi

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. R.R. Mantri, Advocate for Petitioner

Mrs. G.L. Deshpande, Assistant Government Pleader
for Respondent Nos. 1 to 3

Mr. R.R. Karpe, Advocate for Respondent Nos. 4 to 6

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 18th FEBRUARY, 2019

ORAL ORDER:

1. According to the petitioner, the petitioner has fixed deposit of Rs.8,70,672/- with Pravara Nagari Patsanstha Ltd., Ahmednagar (old name Raosaheb Patwardhan Nagari Sahakari Patsanstha Ltd.). The petitioner has approached the District Consumer Forum, Ahmednagar by filing complaint as the fixed deposit was not paid. The recovery certificate was issued in favour of the petitioner. The amount is to be recovered as arrears of land revenue. However, the Tahsildar, Ahmednagar is not taking steps in that regard.
2. According to the respondent, the respondent-Patsanstha does not have sufficient funds in its account. However, still, the

respondent-Patsanstha is ready to pay Rs.25,000/- per month to the petitioner.

3. The recovery certificate is in favour of the petitioner. It is for the revenue authority to take steps to execute the recovery certificate in accordance with law. The petitioner may show the property of the Patsanstha against which action can be taken by Tahsildar, Ahmednagar.

4. The Tahsildar, Ahmednagar shall proceed further in accordance with the provisions of the Maharashtra Land Revenue Code to execute the recovery certificate expeditiously. In the meantime, the respondents are not precluded from making the payment to the petitioner.

5. The writ petition is disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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