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

WRIT PETITION NO. 3809 OF 2019

Bajirao Budhaji Shinde
Age:58 yrs. Occu.Business
R/o Shivkrupa Bungalow
Ambika Nagar, Kedgaon
Tq. & Dist. Ahmednagar

..PETITIONER

VERSUS

1. The Divisional Joint Registrar
Co-operative Societies
Nasik Division, Nasik.

2. The Special Recovery & Sales Officer
Vaidyanath Urban Co-operative
Bank Ltd. Parli Vajjnath
Branch Patvardhan Chowk
Ahmednagar,
Tq. & Dist. Ahmednagar

..RESPONDENTS

Mr A. S. More, Advocate for petitioner;
Mrs M. A. Deshpande , A.G.P. for respondent No.1

**CORAM : PRASANNA B. VARALE
AND
NITIN W. SAMBRE, JJ.**

DATE : 19th March, 2019

ORAL ORDER:

Heard learned Counsel, appearing on behalf of the petitioner.

2. In view of the facts submitted before us, on the basis of documents placed on record as well as oral submissions, namely, the petitioner is guarantor and a recovery certificate was issued against the borrower for

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recovery of amount to the tune of Rs.22,11,073/- and the petitioner in challenge to the orders passed by the authority submitted a revision application to the Divisional Joint Registrar, Co-operative Societies, Nashik along with an application for grant of interim orders and the application as well as the revision is pending before the authority till filing of the petition and the petitioner is submitting an undertaking before this Court that he would deposit an amount to the tune of Rs.22,11,073/-, which is referred to in the possession notice dated 2nd March, 2019, within four weeks from today, the petition is disposed of with directions to respondent No.1 Divisional Joint Registrar, Co-operative Societies, to decide the revision as expeditiously as possible.

3. We further make it clear that in case the petitioner fails to deposit the amount to the tune of Rs.22,11,073/- within four week from today, respondent No.1 may pass appropriate orders on the back drop of this fact itself, including dismissal of the revision.

Respondent Nos. 1 and 2 are directed not to take coercive action in furtherance of possession notice dated 2nd March, 2019, for a period of four weeks from today.

(NITIN W. SAMBRE, J.)

(PRASANNA B. VARALE, J.)

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