

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

74 WRIT PETITION NO.4853 OF 2019

DILIP BALIRAM CHALAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. More P. P.
AGP for Respondents/State : Mr. S.G. Karlekar
Advocate for Respondents : Mr. V.V. Bhavthankar for R/3.

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**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 23.07.2019

PC. :-

Mr. More the learned counsel submits that the petitioner had deposited an amount of Rupees Fifteen Lakhs as per the order dated 22.04.2019. Mr. Bhavthankar the learned counsel submits that affidavit is filed by respondent no.3 stating that the respondent no.3 would not proceed ahead with the auction sale assailed in the present petition till the dispute filed by the petitioner before the Co-operative Court under Section 91 of the Maharashtra Co-operative Societies Act is decided.

2. In view of that the apprehension of the petitioner does not subsist. The learned counsel for the petitioner and respondent no.3 submits

that amount deposited in this Court be transmitted to the Co-operative Court, Latur.

3. The amount deposited in this Court pursuant to the order dated 22.04.2019 be transmitted to the Co-operative Court, Latur. The Co-operative Court, Latur shall keep the said amount in fixed deposit and depending upon the judgment passed shall pass further orders with regard to disbursement of aforesaid amount. The co-operative court shall endeavour to decide the dispute filed by the petitioner expeditiously. Writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]