

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

WRIT PETITION NO. 6565 OF 2019

The Bhusawal Peoples Co-op. Bank Ltd.,
Bhusawal, through Special Recovery
Officer D. M. Ingale .. Petitioner

Versus

The District Deputy Registrar and others.. Respondents

Shri P. N. Nagargoje, Advocate h/f Shri D. B. Thoke, Advocate for
the Petitioner.

Shri V. S. Badakh, A.G.P. for Respondent Nos. 1 and 2.

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

DATE : 11TH JUNE, 2019.

FINAL ORDER :

. The petitioner seeks directions against the respondent No. 2 to hand over physical possession of the property.

2. Sale deed is executed by the petitioner in favour of respondent Nos. 5 and 6. Recitals in the sale deed are to the effect that the possession is delivered. It is submitted that, respondent Nos. 5 and 6 have not received the possession. The respondent Nos. 5 and 6 are not coming forward to claim possession. It is for respondent Nos. 5 and 6 to claim possession.

3. The petitioner and respondent Nos. 5 and 6 also have other remedy open with regard to the possession as provided under Rule 107(11) of the Maharashtra Co-operative Societies Rules.

4. The petitioner and/or respondent Nos. 5 and 6 may take appropriate steps in that regard. In view of that, the writ petition is disposed of. No costs. All contentions of respective parties are kept open.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/June 19