

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.10427 OF 2019
IN WP/5362/2015 **WITH CA/11660/2018** IN WP/5362/2015

RUPEE CO OPERATIVE BANK LTD THROUGH AUTHORITY
REPRESENTATIVE AND ANOTHER
VERSUS
PADAMASHREE DR VITHALRAO VIKHE PATIL SAHAKARI SAKHAR
KARKHANA LTD BEED AND OTHERS

Mr.A.A.Nimbalkar, Advocate for the applicants.
Mr.D.J.Choudhari, Advocate for respondent No.1.
Mr.S.W.Munde, AGP for respondent Nos. 2 to 4.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 30/08/2019

PER COURT :

1. I have heard the learned Advocates for the respective sides and have perused the order dated 20/11/2015 passed in the writ petition.

2. CA No.11660/2018 is allowed by permitting the petitioners to place on record the copy of the agreement dated 17/10/2002 with proper pagination and by supplying copies to the other side.

3. The learned Advocate for respondent Nos. 3 and 5, who have

filed CA No.10427/2019, canvasses that the petition is not maintainable as it seeks to challenge the recovery certificate issued u/s 101 of the M.C.S.Act.

4. This application is therefore disposed off and the writ petition shall be listed on 16/09/2019 in the "Urgent Admissions Category". The issue as to whether the petition is maintainable, shall be considered on the said date.

(Ravindra V.Ghuge, J.)