

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11488 OF 2019

ABHISHEK ENTERPRISES THROUGH
ITS PROPRIETOR SANTOSH
MISTRILAL SHARMA

...PETITIONER

VERSUS

THE STATE OF MAHRASHTRA
AND OTHERS

...RESPONDENTS

Mr. P.S. Dighe, Advocate holdidng for
Mr. V.R. Dhorde, Advocate for Petitioner
Mr. S.B. Narwade, AGP for Respondents-State

**CORAM : S.V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 19th SEPTEMBER, 2019

ORAL ORDER:

1. The learned Counsel submits that the petitioner is armed with the decree against respondent No. 4. The petitioner has filed execution proceedings for recovery of the amount. The respondent No. 4 is under liquidation. The petitioner filed an application under section 107 of the Maharashtra Co-operative Societies Act with respondent No. 3 seeking permission to prosecute the execution. The said application is not yet decided though, twice the petitioner remained present for hearing.

2. considering the fact that the application filed by the petitioner under section 107 of the of the Maharashtra Co-operative Societies Act is pending consideration with respondent No.3, the respondent No. 3 shall take decision upon the said application within a period of six weeks.

3. The petitioner may appear before the respondent No. 3 on 30th September, 2019.

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

[ANIL S.KILOR]
JUDGE

[S.V.GANGAPURWALA]
JUDGE

mta