

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1468 OF 2015

1. Ramrao Tukaram Patil and Ors.	... Petitioners
Vs.	
1. The Nashik District Girana Sahakari Bank Limited and Ors.	... Respondents

Mr. Kishor Patil for the petitioners.
Mr. Tejesh Dande a/w Bharat Gadvi I/b Tejesh Dande and Associates for
respondent no.1.
Mr. S.H. Kankal, AGP for respondent no. 3.

CORAM : NITIN W. SAMBRE, J.

DATE : 11th June, 2019.

P.C. :

The learned Counsel for respondent nos. 1 and 2, on instructions submits that respondent no.1 had taken recourse the issuance of recovery certificate u/sec. 101 of the Maharashtra Co-operative Societies Act, 1960 and also The Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ('SARFAESI Act).

2. According to him, now the bank has taken the decision to withdraw both these proceedings and intend to initiate a fresh proceeding

under Maharashtra Co-operative Societies Act, 1960. According to him, as such the impugned notice dated 21/01/2015 issued in pursuance to the provisions of section 101 of the Maharashtra Co-operative Societies Act, 1960 has also rendered infructuous. Since the statement is made on instructions, same is accepted.

3. This petition, as such, stands disposed of with liberty to respondent no.1 to initiate fresh proceeding u/sec. 101 of the Maharashtra Co-operative Societies Act, 1960 against the petitioner in accordance with law.

(N. W. SAMBRE, J.)