

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 3104 OF 2014

Sharat Jamnadas Padiya.

...Petitioner.

Versus

The State of Maharashtra & anr.

...Respondents

Mr. Raghvan Sarthy, Mr. Indrajeet Suryavanshi, Mr. Nikhil Waje,
Mr. Apurva Sanglikar, Mr. Shantanu Kadam, advocate for
Petitioner.

Mr. F.R. Shaikh, APP for State.

**CORAM : B.P. DHARMADHIKARI &
SMT. SADHANA S. JADHAV, JJ.**

DATE : NOVEMBER 8, 2019.

P.C.:

1 This Court has been approached in August, 2014 with grievance that cognizance of complaint made by Petitioner pointing out fabrication and other high handed auctions has not been taken.

2 With assistance of learned Counsel for the petitioner and learned APP, we have perused the papers.

3 It appears that a cooperative bank then in liquidation had proceeded to recover its due and for that purpose property of the petitioner was sought to be auctioned. That auction was quashed and set aside on 7/5/2014 by Divisional Joint Registrar

Talwalkar

Cooperative Society, Kolhapur while allowing Revision Application No. 483 of 2012 filed by the Petitioner.

4 According to learned Counsel, though auction proceedings may have been set aside, the offence has still remained unattended. He is seeking time to place on record additional documents to substantiate his contention.

5 Learned APP is opposing any adjournment. He submits that after more than 5 years, such leave should not be granted in extra ordinary jurisdiction.

6 Alleged forgery or high handed action was by officers of cooperative department, may be in discharge of their official duties. However, we are not recording any finding in this respect. We are not inclined to intervene in the matter after more than 5 years in extra ordinary jurisdiction. With liberty to petitioner to take such other steps as open in law, we dispose of petition.

(SMT. SADHANA S. JADHAV, J) (B.P. DHARMADHIKARI, J)