

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**WRIT PETITION NO.2268 OF 2017**

(SAU. SHOBHA RAJESH JADHAV & ANR.....VS.. THE WASHIM URBAN COOP. BANK LTD. & OTH.)

-----  
 Office Notes, Office Memoranda of Coram,  
 appearances, Court's orders of directions  
 and Registrar's orders  
 -----

Court's or Judge's orders

-----  
 Shri S.A.Mohta, Advocate for Petitioners.  
 Shri R.M.Tiwari, Adv. H/f.Shri C.A.Joshi, Adv. for Respondent Nos. 1 & 2.  
 Ms Tajwar Khan, A.G.P. for Respondent No. 3.  
 -----

**CORAM : Z.A.HAQ, J.**

**DATED : JANUARY 09, 2019.**

**PURIS STAMP NO.14734/2017.**

This pursis is filed by the learned advocate representing the petitioner, stating that the petitioners are not responding and are not giving any instructions. It is stated in the pursis that as this Court has not granted interim order, the respondent Bank has proceeded with the auction and after that the petitioners have not contacted the learned Advocate. The learned Advocate seeks discharge from the matter. A copy of the notice sent to the petitioners apprising them that the advocate intends to withdraw his Vakalatnama is also placed on record.

Accepting the submissions made in the pursis, Shri S.A.Mohta, Advocate is discharged from appearing in the matter.

**W.P. No.2268/2017.**

Heard Shri R.M.Tiwari, Advocate holding for Shri C.A.Joshi, Advocate for the respondent Nos. 1 and 2.

It is pointed out that the Recovery Certificate under Section 101 of the Maharashtra Co-operative Societies Act is issued by the authority as per the prescribed procedure. It is further submitted that the petitioners have not been able to point out any illegality or error of jurisdiction by the authority while issuing the Recovery Certificate.

In the facts of the case, I see no reason to interfere in the matter. The writ petition is **dismissed** with costs quantified at Rs.Twenty Thousand to be paid by the petitioners to the respondent No.1-Bank.

The amount of costs shall be paid by the petitioners by Demand Draft and affidavit of compliance shall be filed on record of this petition within two months.

**JUDGE**

RRaut..