

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.2393 OF 2022

**PRAMOODKUMAR MASHAVRAO WAGHMARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. Tarek Mobin H. Shaikh
AGP for Respondents – State : Mr. Y. G. Gujarathi
Advocate for Respondent No.3 : Mr. S. S. Gangakhedkar

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 25th FEBRUARY, 2022

PER COURT :

1. The present petition challenges the recovery certificate issued under Section 101 of the Maharashtra Co-operatives Societies Act, 1960. The petitioner contends that due to pandemic he could not pay the dues of the respondent Bank. He has shown willingness to pay the dues of the respondent Bank by installments. The respondent Bank is ready to offer installments to the petitioner. In these peculiar facts of the present case, if the petitioner deposits 50% amount of the recovery certificate with the respondent Bank, within a period of six weeks from today, no coercive steps be taken against the petitioner.

2. Since the petitioner has an alternate remedy of filing revision under Section 154 of the said Act, this Court is not inclined to

entertain this writ petition.

3. The writ petition is disposed off, in terms of above observations, with liberty to the petitioner to avail alternate remedy. All the contentions are kept open.

(NITIN B. SURYAWANSHI, J.)