

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

924 WRIT PETITION NO.10841 OF 2022

**ASARAM SAHEBRAO BOBADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

...
Advocate for Petitioner : Jadhav Walmik S.
AGP for Respondent-State : Mrs. G.L.Deshpandes
...

CORAM : SANDEEP V. MARNE, J.

DATE : 18.10.2022.

PER COURT :

1. By this petition the petitioner assails the judgment and order dated 5.08.2022 passed by the Maharashtra State Co-Op Appellate Court Mumbai, Bench at Aurangabad in appeal No. 38 of 2022 only to the extent that the Court has directed the petitioner to deposit an amount of Rs. 2,00,000/- as precondition for remand of the proceedings before the Co-Operative Court, Aurangabad.

2. It appears that the amount of Rs.5,32,741/- along with interest @ 16% p.a. from 01.04.2016 was earlier decreed. The amount which petitioner may have to pay to the respondent Bank in the event of he not succeeding in proceedings before the judge of Co-Operative Court would be approximately to Rs. 10,00,000/-.

3. I do not find any error being committed by the Co-Operative Appellate Court in directing petitioner to deposit about 20% of the due amount as precondition for remand of the proceedings before the judge of Co-Operqative Appellate Court.

4. The petition is devoid of any merits, is dismissed without any orders as to the costs.

**(SANDEEP V. MARNE)
JUDGE**

mahajansb/