

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

**WRIT PETITION NO.4224 OF 2022**

**PRIYA  
RAJESH  
SOPARKAR**

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PRIYA RAJESH  
SOPARKAR

Date: 2022.04.18  
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Nikhil Bhanudas Shelar and ors.

... Petitioners

V/s.

The State of Maharashtra and ors.

... Respondents

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Mr.Chandra Prakash Tripathi, Advocate for the Petitioners.

Mr.Bhupesh Vijaykant Samant, Advocate for Respondent No.3.

Mr.R.S.Pawar, AGP for the State.

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**CORAM : S. V. GANGAPURWALA AND  
VINAY JOSHI, JJ.**

**DATE : 13<sup>th</sup> APRIL, 2022.**

**P.C.:-**

1. The learned counsel for the Petitioners and the Respondents submits that after the present petition was filed, the Tahasildar-cum-Executive Magistrate amended the order dated 23th November, 2021 and held that the order is passed referring to Rule 107 of the Maharashtra Co-operative Societies Rules.

2. In the light of that, as the petition is filed on the premise that action under the SARFAESI Act is taken, the same is disposed of. The Petitioners are at liberty to assail the subsequent order as may be permissible under law.

3. The learned counsel for the Petitioners submits that protection be granted for a limited period so as to avail the alternate remedy.

4. The learned counsel for Respondent No.3 submits that amount of Rs.67 lakhs are due against the Petitioners. The quantum of the amount is disputed by the Petitioners.

5. The Petitioners shall deposit Rs.10,00,000/- with the Respondent No.3 by 19<sup>th</sup> April, 2022 and another Rs.20,00,000/- within two weeks from today. If the amount as directed above is deposited, the Respondent may not take further coercive steps against the Petitioners for a period of two weeks. The said deposit would be without prejudice to the contentions of either parties. If the Petitioners fail to deposit Rs.10,00,000/-, the Respondent will be at liberty to take further action.

6. Writ Petition is disposed of. No costs.

**(VINAY JOSHI, J.)**

**(S.V.GANGAPURWALA, J.)**

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