

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

902 WRIT PETITION NO.3867 OF 2022

VIJAY YEDUJI KHARAT AND ANOTHER
VERSUS
THE DIVISIONAL JOINT REGISTRAR AND OTHERS

...
Advocate for Petitioners : Mr. M.P. Kale h/f. Mr. A.A. Khande
AGP for Respondents 1 & 2 : Mr. K.B. Jadhavar
Advocate for Respondents 3 & 4 : Mr. A.S. Dhongade

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CORAM : ARUN R. PEDNEKER, J.
DATED : 25/01/2023

PER COURT :

1. By the present writ petition, the petitioners are challenging the recovery certificate issued under section 101 of the Maharashtra Cooperative Societies Act of Rs.6,55,107/- in 2018.
2. The learned counsel for the petitioner submits that by challenging the recovery certificate, the petitioners have deposited 50% of the amount under recovery certificate. However, the counsel further submits that he has applied with the bank under one time settlement scheme. By order dated 15.12.2022, it was noticed that an amount of Rs.6,51,983/- is due and payable by the petitioners as per the statement made by the learned counsel for the bank. The petitioners were disputing the said fact. However, the petitioners were directed to come with the demand draft atleast to the extent of agreed amount or atleast the amount uncontested by them till 10.1.2023. However, the petitioners have failed to do so.
3. By keeping this petition pending, no purpose would be served and is dismissed. It is clarified that dismissal of this petition will not come in the way of petitioners and the Bank working out any settlement.

[ARUN R. PEDNEKER J.]

ssc/