

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO. 3164 OF 2022

VIKAS BHAUSAHEB JONDHALE

VERSUS

THE DISTRICT DEPUTY REGISTRAR AND OTHERS

...

Advocate for Petitioner : Mr. Sonavane Narendra D.

AGP for Respondent No.1/State : Mr. S. G. Sangale

Advocate for Respondent No.3 : Mr. Dighe Vithal H.

Advocate for Respondent No.4 : Mr. Dixit S.S.

Advocate for Respondent No. 5 : Mr. Wagh Umakant U.

Advocate for Respondent Nos. 6 to 9 : Mr. Jadhav Kailas B.

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CORAM : KISHORE C. SANT, J.

DATE : 15th JUNE 2023.

Per Court :

1. The petitioner has challenged the auction sale dated 27.11.2021 held at the instance of respondent no.3 pursuant to Recovery Certificate issued by the Assistant Registrar, Cooperative Societies, Ahmednagar for an amount of Rs.43,37,515/- against the petitioner. The said certificate is never challenged by the petitioner and by respondent nos. 5 to 9.

2. Pursuant to Recovery Certificate, now further proceeding is taken under Rule 107 and now even the property is sold in auction and for challenging any auction, it was necessary for the petitioner to first challenge the Recovery Certificate, issued by the Assistant Registrar, Cooperative Societies. The petition therefore can be conveniently disposed off by keeping remedy of challenging the Recovery Certificate, open to the petitioner. In view of the same, petition stands disposed off.

[KISHORE C. SANT, J.]

Najeeb.