

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

928 WRIT PETITION NO.1180 OF 2021
WITH CA/8580/2022 IN WP/1180/2021

AMEEN HYDER SAYYED AND OTHERS
VERSUS
THE SPECIAL RECOVERY OFFICER VARDHAMAN NAGRI SAHAKARIPATH
SANSTHA MARYADIT AND OTHERS

...
Advocate for Petitioners : Mr.G.B. Kingre
AGP for Respondent 3 : Mr. K.N. Lokhande
Advocate for Respondent 1 & 2 : Mr. K.J. Suryawanshi

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CORAM : ARUN R. PEDNEKER, J.
DATED : 19/01/2023

PER COURT :

1. Heard the learned counsel for respective parties.
2. The petitioner has challenged the recovery certificate of the respondent Nos. 1 and 2 – Bank before the revisional authority under section 154 of the Maharashtra Co-operative Societies Act. Section 154 (2) (A) contemplates that on filing of revision petition, the petitioner is required to deposit 50% of the amount under recovery certificate, the same being not deposited, the petition is not entertained. The learned counsel for the petitioner contends that he would deposit the amount and the some time may be granted to him and the revision petition be restored.
3. The petitioner is granted four weeks time from today to comply with the condition under section 154 (2)(A) of the Act. In the event 50% amount as indicated in the said section is deposited within four weeks from

today, the Revision Application No. 43/2017 would stand restored before the Divisional Joint Registrar, Cooperative Societies, Aurangabad. In view of the same, this writ petition stands disposed of. In view of the disposal of the writ petition, civil application does not survive and accordingly stands disposed of. The interim orders will be vacated after the period of four weeks from today.

[ARUN R. PEDNEKER J.]

ssc/