

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

917 WRIT PETITION NO.13158 OF 2023

SHAIKH RAFIK SHAIKH MOHAMMAD
VERSUS
VAISHALI VITTHAL SHINDE AND OTHERS

...
Advocate for Petitioner : Mr. G.J. Pahilwan
AGP for Respondents 5 & 6 : Mr. K.B. Jadhavar

...
CORAM : ARUN R. PEDNEKER, J.
DATED : 19/10/2023

PER COURT :

1. Heard the learned counsel for the petitioner.
2. The petitioner has filed revision before the Divisional Joint Registrar, Co-operative Societies, Aurangabad (revisional authority) under section 154 of the Maharashtra Cooperative Societies Act 1960, challenging the recovery certificate under section 101.
3. The revisional authority by the impugned order has directed the petitioner to deposit 50% of the amount. In terms of section 154 (2A) of the Act, deposit of 50% amount is mandatory condition for filing revision. I see no error in the order passed by the revisioal authority, directing the petitioner to deposit 50% of the amount.
4. The learned counsel for the petitioner submits that the petitioner being the guarantor and the liability being joint, he should be directed to deposit the amount only to the extent of his share. However, the liability is joint and several and that the person filing the revision has to deposit 50% of the amount due under section 101 certificate. In view of the same also, I hold that there is no error in the impugned order.
5. In view of the discussion made above, the writ petition is dismissed.

[ARUN R. PEDNEKER J.]

ssc/