

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

21 WRIT PETITION NO.2614 OF 2020

**NAVNATH VISHWANATH GADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner: Mr. S. L. Bhapkar
AGP for Respondent/State: Mr. A. A. Jagatkar
Advocate for Respondents No.5&6: Mr. R. R. Karpe

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CORAM: ARUN R. PEDNEKER, J.

DATE: 13th MARCH, 2023

PER COURT:

1. The petitioner challenges the recovery certificate issued against loan of Rs.2,00,000/- obtained by respondent no.7. The petitioner undisputedly is the guarantor of the said loan. The contention of the petitioner is that the recovery certificate is issued without following due process of law and without notice to the guarantor. He further does not dispute the fact that the loan is taken and that he is the guarantor of the loan.

2. As he is guarantor to the loan, the remedy of revision is available to the petitioner.

The writ petition is disposed of with liberty to the petitioner to avail the remedy as is available.

3. Interim arrangement made by this court in the present writ petition with consent of the respondents is continued for a period of two (02) weeks from today.

4. If revision petition is filed, all contentions are kept open.

[ARUN R. PEDNEKER, J.]

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