

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 15352 OF 2023

Vinod Kisan Sangale & ors.

.Petitioners

Vs.

The State of Maharashtra & ors.

.Respondents

Mr. Rupesh Zade a/w. Ms. Priyanka Gupta, Advocate, for the
Petitioners

Ms. V. S. Nimbalkar, AGP, for Respondent Nos. 1 to 5 – State

CORAM : MADHAV J. JAMDAR, J.

DATE : 20.12.2023

P. C.

1. Heard Mr. Zade, learned Counsel appearing for the
Petitioners and Ms. Nimbalkar, learned AGP appearing for
Respondent Nos. 1 to 5.

2. At the outset, Ms. Nimbalkar, learned AGP appearing
for Respondent Nos. 1 to 5 – State states that there is an
alternate remedy of filing Revision under Section 154 of the
Maharashtra Co-operative Societies Act, 1960 to challenge the
impugned order. Sub Section (2A) of Section 154 specifically
provides that 50% of the recoverable dues are required to be
deposited with Respondent No. 6 – Bank before filing the
Revision.

3. The Writ Petition is disposed of in view of availability of an alternate remedy.

4. It is clarified that this Court has not considered the merits and all contentions on merits of all parties are expressly kept open.

5. The Petitioners are entitled for benefit under Section 14 of the Limitation Act, 1963.

(MADHAV J. JAMDAR, J.)