

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13530 OF 2023

Santosh Rajaram Kelkar and Anr. ... Petitioners.

V/s.

Kanchangauri Mahila Sahakari
Pat Pedhi Ltd. and Ors. ... Respondents.

WITH
WRIT PETITION NO. 13557 OF 2023

Santosh Rajaram Kelkar and Anr. ... Petitioners.

V/s.

Kanchangauri Mahila Sahakari
Pat Pedhi Ltd. and Ors. ... Respondents.

.....

Mr. Mahesh Subramaniam for the Petitioners.
Mr. S. H. Kankal, AGP for Respondent Nos. 3 to 5.
Mr. Chetan R. Shah i/b Ms Jayashree Mahadik for Respondent No.
1.

.....

**CORAM : NITIN JAMDAR, AND
MANJUSHA DESHPANDE, JJ.**

DATE : 31 October 2023.

P.C. :

Heard the learned Counsel for the parties.

2 The Petitioners have challenged the recovery certificate issued
against the Petitioners. The Petitioners have a remedy of revision

under Section 154 of the Maharashtra Co-operative Societies Act, 1960, which stipulates a pre-deposit.

3 The learned Counsel for the Petitioners states that the date of taking possession is scheduled in this week and the Revision Application is filed, however, is not being taken up by the Revisional Authority. For Revision Application to be taken up, the Petitioners will have to deposit the amount stipulated under the statute. After the amount so stipulated is deposited, the Authority can take up the Revision Application for consideration.

4 It appears that the Petitioners have filed the Revision Application in March, 2023. Till the possession notice is received, the Petitioners have not deposited the amount. Now, the Petitioners are showing willingness to deposit the amount. All that we can state is that if the Petitioners deposit the amount stipulated for entertaining the Revision Application, the Revisional Authority will take up the Revision Application for consideration and for protective order at the earliest, considering the urgency to be made out by the Petitioners before the Revisional Authority. Order accordingly.

5 With these observations, the Writ Petitions are disposed of.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)