

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

WRIT PETITION NO.11948 OF 2022

Samraj Gold Export Pvt. Ltd. ... Petitioner
Versus
The State of Maharashtra And Ors. ... Respondents

...

Mr. Aseem Naphade, i/b. Mr. S. K. Atique, Mr. U. R. Rehman for
Petitioner.

Mr. A. P. Vanarase, AGP for State.

Mr. Anand Pai, a/w. Mr. Vikas Salvi i/b. Vikas Salvi & Associates for
Respondent Nos.3 & 4.

...

**CORAM : SANDEEP V. MARNE, J.
DATE : 11 DECEMBER 2023.**

P. C.:

. Challenge in the present petition is to the Recovery Certificate dated 18 January 2021 issued under provisions of Section 101 of the Maharashtra Cooperative Societies Act, 1960 (**MCS Act**). Undoubtedly there is an alternate remedy of filing of Revision under provisions of Section 154 of the MCS Act.

2. Mr. Naphade, the learned counsel appearing for Petitioner would submit that the Respondent-Bank had stated erroneous address of Petitioner in the Recovery Application which resulted in Recovery Certificate being issued without any notice to the Petitioner.

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3. Let the issue be argued before the Divisional Joint Registrar in Revision filed under Section 154 of the MCS Act. Reserving liberty to the Petitioner filing of Revision under Section 164 of the MCS Act, present petition is disposed of.

4. All the contentions of the parties on merits are left open.

SANDEEP V. MARNE, J.