

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

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**WRIT PETITION NO. 6628 OF 2022
ALONGWITH
INTERIM APPLICATION NO. 17606 OF 2022
IN
WRIT PETITION NO. 6628 OF 2022**

Sudhir Sadashiv Jawale

....Petitioner

V/s.

District Collector, Collectorate
Office, Pune and Ors.

...Respondents

Mr. Manoj Badgujar a/w Mr. Sagar Kursija for Petitioner.

Mr. Hemant Ghadigaonkar for Respondent No.3.

Mr. A.I. Patel, Addl. G.P. a/w Mr. A.P. Vanarse, AGP for State.

**CORAM : K.R. SHRIRAM &
RAJESH S. PATIL, JJ.
DATED : 15th MARCH 2023**

P.C. :

1. At the outset Mr. Ghadigaonkar appearing for Respondent No.3 submitted that Rule 107 (19) of The Maharashtra Co-operative Societies Rules, 1961 provides for an alternative remedy in the sense if any objection is to be made by any party to the attachment to any property, the party may apply to the Recovery Officer who in this case is Respondent No.4 and Recovery Officer shall investigate the claim or objection and dispose it on merits.

2. Mr. Badgujar for petitioner states that petitioner will file objection before Respondent No.4 within one week to the order of attachment. Mr. Ghadigaonkar states that the Recovery Officer will pass

appropriate order within four weeks of receiving the objections and if petitioner requests for a personal hearing, a personal hearing can also be granted.

3. In view of the statement made by Mr. Badgujar and Mr. Ghadigaonkar as above, we dispose the petition.

4. We clarify that we have not made any observations on the merits of the matter.

5. Petition disposed.

6. Mr. Ghadigaonkar states until the objections are decided, it is quite obvious Respondent No.4 will not take any further coercive steps.

7. Consequently, all Interim Applications also stand disposed.

(RAJESH S. PATIL, J.)

(K.R. SHRIRAM, J.)