

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4918 OF 2016

Mangesh Kokate

... Petitioner

Versus

The C.K.P. Cooperative Bank Ltd. & Ors.

... Respondents

Mr. Bharat Gadhavi i/b. Tejesh Dande & Associates for the petitioner.

CORAM: G. S. KULKARNI, J.
DATED: 2 February 2023

P.C.

1. This petition has been filed challenging the notice dated 14 May, 2015 issued by the respondent-bank for attachment the property bearing Flat No. 702, 7th floor, Gandhar Tower, Khed Gali, Sayani Road, Prabhadevi, Mumbai in pursuance to the Recovery Certificate No. 101/27/2012 dated 18 July, 2012, Recovery Certificate No. 101/60/2012 dated 24 July, 2012 and Recovery Certificate No. 101/32/2012 dated 18 July, 2012 passed under Section 101 of the Maharashtra Cooperative Societies Act (for short “**the MCS Act**”).
2. The petitioner cannot maintain the present petition directly before this Court, as the petitioner would have alternate remedy to assail any action taken under section 101 of the MCS Act by filing a Revision under section 154 of the MCS Act.
3. Accordingly, the petition is disposed of with liberty to the petitioner to avail of the appropriate remedy as available in law. All contentions of the petitioner in that regard are expressly kept open.

(G. S. KULKARNI, J)