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

WRIT PETITION NO. 10574 OF 2019

Madhavrao Ramchandra Kahandal and Anr. ... Petitioners

V/s.

The Shilapur Vividh Karyakari Sahakari
Sanstha Maryadit Through its Chairman/
Secretary and Ors. ... Respondents

None for the Petitioners

Mr. Sachin Gite for Respondent No.1

Mr. S.H. Kankal, AGP for Respondent Nos. 2,3,5 and 6

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

DATE : 01 DECEMBER 2023

P.C. :-

The Petitioner has challenged the Recovery Certificate dated 17 November 1997 by filing a Writ Petition on 28 May 2019. Even after filing the Petition, same is not being prosecuted as the Roznama would indicate. Even today none appears. The learned Counsel for the Respondent – Bank states that no amount is being paid. The challenge in this Petition is hopelessly time barred. Further, it is not being prosecuted diligently. Furthermore legislative

policy would require deposit of 50% of the amount if statutory remedy is to be availed of that to within time. Since nothing has been done as above, we decline to entertain the Writ Petition.

2. The Writ Petition is rejected.

MANJUSHA DESHPANDE, J.

NITIN JAMDAR, J.

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PAWAR

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