

Ghuge

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

WRIT PETITION NO.1100 OF 2023

Rainbow Paints and Anr ... Appellants
V/s.
The State of Maharashtra and Anr. ... Respondents

Ms. Sonal a/w Ms. Kainaz Irani and Mr. Prasad Das i/b
Das Associates for the appellants.

Mr. Jagtap K. Raut a/w Vaishali Shetty for the
respondent No.2.

CORAM : AMIT BORKAR, J.

DATED : JANUARY 25, 2023

P.C.:

1. The petitioner is permitted to file additional affidavit.
2. The borrower is challenging notice under Section 107 (11) (D-1) (VI) (A) of the Maharashtra Co-operative Societies Act, 1960. Rule 107 (12)(13)(14)(19) provides for various remedies to borrower against action of Special Recovery Officer.
3. After the rights are adjudicated by the Special Recovery Officer, the aggrieved person has right of revision under Section 154 of the Maharashtra Co-operative Societies Act, 1960 It is only after the remedy provided under the rules is exhausted. The parties are entitled to approach this Court.
4. For aforesaid reasons, the Writ Petition cannot be entertained, it is open for petitioner to approach special recovery

officer seeking realisation of his grievances.

5. The writ petition is, therefore, disposed off.

(AMIT BORKAR, J.)