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

WRIT PETITION NO.111 OF 2023

Supriya Shirniwas Amane

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

...

Mr. Kalpesh U. Patil for the Petitioner.

Mr. Dilip Bodake, Advocate for the Respondent Nos.3 and 4.

Mr. N. C. Walimbe, Addl. GP a/w Mrs. T. N. Bhatia, AGP for Respondent Nos.1 and 2.

...

**CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ**

DATE : 21st MARCH 2024.

PC. :

1. The petitioner seeks to raise a challenge to the steps taken by the Respondent No.4-Co-operative Bank in the matter of effecting recoveries pursuant to the recovery certificate that has been issued against the Respondent No.5, the principal borrower as well as the petitioner who is a guarantor. Considering the fact that such relief is sought only against a Co-operative Bank which is not 'State' within the meaning of Article 12 of the Constitution of India, the learned counsel for the petitioner submits that the petitioner would make a representation to the Respondent No.2 raising a grievance that the petitioner's salary has been attached for a period of about 28 months.

2. In view of the aforesaid, the following order would serve the ends of

justice:

(i) The petitioner is free to make a representation to the Respondent No.2 raising the grievance in that regard within a period of ten days from today.

(ii) The Respondent No.2 shall after considering the stand of the petitioner as well as the Respondent No.4-Co-operative Bank take a decision on the same and communicate it to the concerned parties.

(iii) Such decision shall be taken within a period of two weeks of receiving the representation.

(iv) All points raised are kept open.

3. The Writ Petition is disposed of in the above terms. No costs.

[JITENDRA JAIN, J]

[A.S. CHANDURKAR, J.]