



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.17088 OF 2024

Subhash Anna Sutar

... Petitioner.

Versus

Ganesh Nagari Sahakari Patsanstha Maryadit

Sahakari Patsanstha Maryadit and Ors.

... Respondents.

Mr. Milind Deshmukh, for the Petitioner.

Coram : Sharmila U. Deshmukh, J.

Date : November 26, 2024

P. C. :

1. Heard.
2. By this Petition, the challenge is to the noting in the Roznama filing the Revision Application for non-compliance of Section 154(2A) of the Maharashtra Co-operative Societies Act, 1960.
3. Learned counsel appearing for the Petitioner would submit that the Recovery Certificate was for a sum of Rs.30,000/- whereas the Recovery Certificate which is now being put into execution seeks recoverable dues about Rs.6 lakhs.
4. The provisions of Section 154(2A) provides that no application for revision shall be entertained against the recovery certificate issued by the Registrar under Section 101 of the MCS

Act, unless 50% of the recoverable dues are deposited.

5. The order of 19th September, 2024 filing the Revision Application for non-compliance of Section 154(2A) cannot faulted with. It is open for the Petitioner to file an appropriate application before the Revisional Authority raising the submissions which are raised before this Court as regards the amount which would constitute the recoverable dues as contemplated under Sub-section (2A) of Section 154 of the MCS Act.

6. Writ Petition stands dismissed with liberty as above.

[Sharmila U. Deshmukh, J.]