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

WRIT PETITION NO.2178 OF 2024

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Vasanti Vasant Barad & Anr.

... Petitioners

V/s.

The State of Maharashtra, through
the Department of Cooperation & Ors.

... Respondents

Mr. S.S. Panchpor for the petitioners.

Mr. H.D. Mulla, AGP for respondent Nos.1 & 2/State.

Mr. Vijay D. Patil with Mr. Rushikesh Patil for
respondent Nos.3 & 4.

Mr. Uttam B. Nikam, Special Recovery Officer of
respondent No.3, (respondent No.4) is present in-
person.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 21, 2024

P.C.:

1. The respondent No.4 is present in Court. He states that possession of the subject property shall be handed over to the petitioner before 5.00 p.m. today. The statement is accepted.

2. However, it is made clear that it will be open for the Special Recovery Officer to follow procedure contemplated under sub-Rule (iv) of sub-Rule D(1) of Rule 107(11) of the Maharashtra Cooperative Societies Rules, 1961.

3. It is made clear that delivery of possession by the Special Recovery Officer shall be without prejudice to the rights of the parties to the present writ petition.

4. With this modification, the writ petition stands disposed of. No costs.

(AMIT BORKAR, J.)