

SA Pathan

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

**INTERIM APPLICATION NO.1150 OF 2024
IN
WRIT PETITION NO.3583 OF 2018**

The Special Recovery & Sale Officer, Co-operative Department Government of Maharashtra attached to Thane Bharat Sahakari Bank Ltd.

... Applicant

In the matter between

Damayanti Valji Lodaya

... Petitioner

V/s.

The Special Recovery & Sale Officer, Co-operative Department Government of Maharashtra attached to Thane Bharat Sahakari Bank Ltd. & Ors

... Respondents

Mr. Parag Tilak, for Applicant

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 5, 2024

P.C.:

1. According to the applicant/the Special Recovery & Sales Officer, he has appointed under Section 156 of the Cooperative Societies Act, 1960 for direction against the secured creditor to pay balance amount of purchase price in an auction held under the provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 ("SARFAESI Act"). The status of applicant is that of aggrieved person under

Section 17 of SARFAESI Act, the remedy of petitioner is to make a request before the Authorized Officer for release of amount and in case, petitioner's request is rejected, he has remedy under the provisions of the Act or Rules.

2. Hence, by keeping right of applicant open to be agitated before the Authorized Officer, the interim application stands disposed of.

(AMIT BORKAR, J.)