

VRJ

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

**WRIT PETITION NO.1393 OF 2024**

Digitally  
Signed By  
Vikram  
Chandrakant  
Godase  
Date  
25.02.2024  
Time  
15:32:15

Vikram Chandrakant Godase

... Petitioner

**V/s.**

The State of Maharashtra Through  
Sub-Divisional Officer & Ors.

... Respondents

Mr. Dipak Shinde for the petitioner.

Ms. M. S. Srivastava, AGP for the State.

**CORAM : AMIT BORKAR, J.**

**DATED : FEBRUARY 5, 2024**

**P.C.:**

1. The petitioner is challenging an order passed by the Circle Officer in exercise of power under Sub-rule 11(d-1) of Rule 107 of the Maharashtra Cooperative Societies Rules, 1961 to take possession of attached property.

2. Prima facie, it appears that the execution is based on recovery certificate under section 101 for amount of Rs.27,03,211/- along with interest at 15% per annum from 1 April 2018.

3. According to the petitioner, he has deposited an amount of Rs.37,57,662/-, in addition to that he has deposited amount of Rs.5,00,000/- in the last year. He undertakes to deposit balance

amount within four weeks from today.

4. Hence, till 4<sup>th</sup> March 2024, there shall be ad-interim relief in terms of prayer clause (c).

5. It is made clear that if the petitioner fails to deposit balance amount within four weeks from today, the ad-interim relief shall stand vacated.

6. Stand over to 4<sup>th</sup> March 2024.

(AMIT BORKAR, J.)