

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

WRIT PETITION NO.17968 OF 2024

Kalpana Prakash Gage and Ors.	.. Petitioners
Vs.	
The State of Maharashtra and Anr.	.. Respondents

Mr. Sagar A. Joshi with Mr. Vinayak Patil and Mr. Anant Charkhe,
Advocates for the Petitioners.

Mrs. Tanu N. Bhatia, Assistant Government Pleader for Respondent No.1.

Mr. Ajit M. Savagave, Advocate for Respondent No.2.

**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 9TH DECEMBER 2024.

PC. :

1. The petitioners are aggrieved by a notice of auction that has been published by the 2nd respondent – Recovery Officer stating therein that on 11th December 2024, the properties in which the petitioners have interest would be auctioned for recovering the dues of the Thane District Central Co-operative Bank Ltd.

2. The learned counsel appearing for the 2nd respondent invites attention to Rule 107(19) of the Maharashtra Co-operative Societies Rules, 1961 to submit that against such notice, it is open for the concerned party to raise an objection. If such objection is raised, the same shall be considered in accordance with law.

3. The learned counsel for the petitioners, on instructions, submits that the petitioners intend to raise such objection. Accordingly, the petitioners

are permitted to raise an objection to the Public Notice issued on 11th November 2024 proposing to conduct the auction on 11th December 2024. The objection shall be raised by 6:00 p.m. today. If such objection is raised, the Recovery Officer shall consider the same in accordance with law.

4. Keeping all points on merits open for being urged in future, the writ petition is disposed of with aforesaid observations.

5. Parties to act on authenticated copy of this order.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]