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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 1402 OF 2024**

Shivkumar S/o Sitaram Mourya Petitioner.
V/s
The State of Maharashtra & Ors. Respondents.

Mr. A. M. Saraogi, Advocate for the petitioner.
Mr. Subhash G. Bane a/w Ms. Titiksha Phadnis, Advocates for
respondent Nos. 2 and 3.
Mr. Akshay Patkar, AGP for the respondents-State.

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

DATE: 23rd July, 2024

P.C.:-

1] The challenge raised in this writ petition is to the attachment of the petitioner's salary that has been undertaken pursuant to garnishee order/attachment order passed under Rule 107 of the Maharashtra Cooperative Societies Rules, 1961. Recourse to the aforesaid action has been taken pursuant to recovery certificate issued against the petitioner as well as the borrower on 03/02/2023.

2] Having heard the learned counsel for the parties and having perused the documents on record, we find that an alternative efficacious remedy under Section 154 of the Maharashtra Cooperative Societies Act, 1960 is available for challenging the recovery certificate. Similarly, remedy is available for challenging the action taken under

Rule 107(19)(a) of the 1961 Rules. Since the rival contentions of parties give rise to disputed questions, we are not inclined to entertain the writ petition. With aforesaid liberty which can be exercised in accordance with law, the writ petition is disposed of as not entertained. All points raised in the writ petition are kept open.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]