



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

902 WRIT PETITION NO. 1584 OF 2025

SHIVAJI DIGAMBAR MAID
VERSUS
SANGRAM NAGARI CREDIT COOPRATIVE PATHSANSTHA LTD

Mr.M.R. Khutwad, Advocate for the petitioner.

CORAM : KISHORE C. SANT, J.
DATE : 04.02.2025

PC :-

01. Heard learned Advocate for the petitioner for some time. The petition is against an order passed by the Maharashtra State Co-operative Appellate Court, Bench at Aurangabad dated 22.01.2025. By way of this order, the learned Member of the Appellate Court has granted stay to the petitioner till 10.02.2025, by issuing notice to other side. The stay is granted subject to condition of deposit of Rs. 10 lakhs with the Society of present respondent. Learned Advocate for the petitioner submits that the petitioner is a poor person. He is not in a position to deposit the amount of Rs. 10 lakhs. It is beyond his capacity to comply with the order of deposit of amount. He thus prays for issuing notice by granting stay to the impugned order.

02. On going through the petition, this Court finds that it is an ad-interim order. The amount of Rs. 10 lakhs is directed to deposit as the total dues is Rs.79,54,719/-. This Court hardly finds any reason to interfere with the impugned order. The only submission of the learned Advocate for petitioner on expressing opinion of this Court is that though the stay is granted by the Appellate Court, still the Recovery Officer has issued notice of attachment. This Court finds no any reason to interfere even in this aspect also. The order passed by the Appellate Court can be shown to the Trial Court, where the execution is pending. In any case, even that cannot be a ground to entertain this Writ Petition.

03. The Writ Petition, therefore, stands dismissed with no order as to cost.

[KISHORE C. SANT, J.]