

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 9548 OF 2024

Pradip Vishwanath Waghmare

VERSUS

Kanhoor Pathar Co Operative Credit Society Ltd Through
Its Recovery Officer And Others

- Mr. Y. P. Deshmukh, Advocate for the Petitioner
- Mr. S. V. Suryawanshi, Advocate for the Respondent No. 1

CORAM : R. M. JOSHI, J

DATE : MAY 05, 2025

PER COURT :

1. At the outset, learned Counsel for the Petitioner undertakes to replace the Exh. A with legible copy.

2. Learned Counsels for both sides were heard substantially. During the course of hearing, it was revealed to the learned Counsel for the Petitioner that inadvertently no exception is taken to the findings recorded by the Appellate Court with regard to the service of notice to the Petitioner. He, therefore, seeks amendment to the grounds of the Petition. On instructions, he makes statement that the Petitioner is ready to deposit a sum of Rs. 2,50,000/- within a

period of four weeks in this Court.

3. Learned Counsel for the Respondent has drawn attention of the Court to the initial orders sought by Petitioner.

4. If it is the case of the Petitioner that inadvertently the ground taking exception to the findings recorded by the Appellate Court are not incorporated in the Petition, the interest of justice call for permitting him to amend the Petition. Since voluntary statement is made to deposit Rs. 2,50,000/-, the grievance of the contesting Respondent is also taken care to some extent.

5. Hence, Petitioner to deposit Rs. 2,50,000/- within a period of four weeks from today. Office to accept the deposit. It is clarified that no further extension shall be granted to the Petitioner for deposit of the said amount. If the amount is not deposited in time, the Petition be treated as dismissed. Petitioner is permitted to carryout amendment within this period.

6. Call for record and proceedings.

7. Stand over to 16.06.2025. Interim arrangement to continue till next date of hearing except for the deposit of amount.

(R. M. JOSHI, J.)