

Shabnoor

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

WRIT PETITION NO.2266 OF 2025

Kashinath Vithoba Nale

... Petitioner

V/s.

State of Maharashtra Through

The District Collector, Satara & Ors.

... Respondents

SHABNOOR
AYUB
PATHAN

Digitally signed by
SHABNOOR AYUB
PATHAN
Date: 2025.02.20
16:51:46 +0530

None for the petitioner.

Mr. J. P. Patil, AGP for State – respondent.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 20, 2025

P.C.:

1. Challenge in this petition is to an order passed by the District Magistrate in exercise of power under Rule 107(11)(d-1)(vi) of the Maharashtra Cooperative Societies, Rules, 1961 directed the petitioner to hand over the possession.

2. The scheme under Rule 107(11)(d-1)(vi) of the Maharashtra Cooperative Societies, Rules, 1961, empowers the Special Recovery Officer to apply before the Sub-Divisional Officer for possession of the mortgaged property. The power exercised by the District Magistrate is executory in nature. The District Magistrate has no discretion. Therefore, the impugned order need not be interfered with.

3. The writ petition is, therefore, dismissed.

(AMIT BORKAR, J.)