

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

WRIT PETITION NO.2742 OF 2025

Amol Chandrakant Pawar and Ors. .. Petitioners
Vs.
Divisional Joint Registrar,
Co-operative Societies, Kolhapur Division and Ors. .. Respondents

Mr. Shreyas P. Barsawade, Advocate for the Petitioners.

Mr. A.I. Patel, Additional Government Pleader with Mr. S.L. Babar,
Assistant Government Pleader for Respondent Nos.1, 2 and 5.

**CORAM : A.S. CHANDURKAR &
M.M. SATHAYE, JJ**

DATE : 25TH FEBRUARY 2025.

PC. :

1. The petitioners are aggrieved by the steps being taken by the respondent no.4, Recovery Officer, for enforcing the Recovery Certificate issued in the proceedings under Section 101 of the Maharashtra Co-operative Societies Act, 1960. The said Recovery Certificate has been issued on 1st January 2025 for an amount of Rs.14,26,468/-. Pursuant to an order of attachment passed under Rule 107(10) of the Maharashtra Co-operative Societies Rules, 1961 dated 24th January 2023, the petitioners have approached the Divisional Joint Registrar, Co-operative Societies, Kolhapur under Section 154 of the Act of 1960. It is informed that the proceedings have been heard and final orders thereon are awaited.

2. The learned Additional Government Pleader, on instructions,

submits that the aforesaid proceedings being Revision Application No.135 of 2024 would be decided today.

3. Since the Recovery Officer by his notice dated 10th February 2025 has stated that possession of the secured asset would be taken today between 7:00 a.m. to 5:30 p.m., it is directed that this action shall stand deferred for a period of one week from today in view of the fact that the Revision Application preferred by the petitioners is being decided today. Accordingly, without prejudice to the rights and contentions of the respondents, the date for taking possession is re-scheduled to 4th March 2025. It would not be necessary for the Recovery Officer to issue any fresh notice in that regard.

4. With liberty to the petitioners to raise appropriate challenge if any adverse order is passed in the Revision Application and by keeping the petitioners' contention as regards the prayers made in this writ petition open, it is accordingly disposed of.

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

[M.M. SATHAYE, J.]

[A.S. CHANDURKAR, J.]