

VRJ

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12465 OF 2023

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Shivaji Daulat Dhaygude & Anr. ... Petitioners
V/s.
Special Recovery & Sales Officer & Ors. ... Respondents

Mr. Ajit Kenjale with Suraj Bansode and Azharuddin
Khan for the petitioners.

CORAM : AMIT BORKAR, J.

DATED : MARCH 17, 2025

P.C.:

1. Challenge in this writ petition arises out of rejection of revision under Section 154 of the Maharashtra Cooperative Societies Act, 1960 in turn challenging the order of attachment issued by the Special Recovery Officer in exercise of power under Sub-rule (11) of Rule 107 of the Maharashtra Cooperative Societies Rules, 1961. Sub-rule (19) of Rule 107 of the Maharashtra Cooperative Societies Rules, 1961 provides a remedy for a person, including a person who claims to be owner of property to claim rights over the property attached. Therefore, it shall be open for the petitioners to raise objection before the Special Recovery Officer under Sub-rule (19) of Rule 107 of the Maharashtra Cooperative Societies Rules, 1961.

2. The writ petition is accordingly disposed of. No costs.

3. Pending interlocutory application(s), if any, stand disposed of.

(AMIT BORKAR, J.)