

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 551 OF 2025

Sanghvi Garden Rajanigandha A and .. Petitioner
B Wing CHS Ltd

Versus

State of Maharashtra through the .. Respondents
Commissioner of Police and ors

...

Mr. Nigam C. Kumar with Mrs. Shilpa More i/b NK Juris for the petitioner.

Mr. Kedar Dighe, Addl. G.P with Ms. G.R. Raghuwanshi, AGP for respondent nos. 1 to 3.

CORAM : ALOK ARADHE, CJ &
BHARATI DANGRE, J
DATED : 28th JANUARY, 2025

P.C:-

1 With consent of the learned counsel for the parties, Writ Petition is heard finally. In this Writ Petition, the petitioner has prayed that the respondent nos. 1 to 4 shall execute the Recovery Certificate dated 8/2/2023 issued by the Deputy Registrar of the Co-operative Societies, Dombivli, pursuant to the application filed under Section 154B (29) of the Act of 1960.

2 The facts giving rise to the filing of the petition is that the petitioner is one of the Co-operative Housing Society governed by the Maharashtra Co-operative Societies Act, 1960. It is the grievance of the petitioner that the Recovery Officer i.e. respondent no.4 did not execute the Recovery Certificate since police protection was not available.

3 The learned counsel for the petitioner submitted that the Recovery Officer would require police assistance for execution of the order dated 8/2/2023 passed by the Deputy Registrar. Learned Addl. G.P for respondent nos.1 to 3, on instructions, submits that in case the Recovery Officer seek police assistance, the same shall be provided.

4 The aforesaid statement is placed on record and it is directed that as and when the Recovery Officer requires the police assistance for execution of the order dated 8/2/2023 passed by the Deputy Registrar, the police protection shall be provided to the Recovery Officer.

5 The Recovery Officer shall take an action expeditiously to execute the Recovery certificate dated 8/2/2023.

Writ Petition is disposed off.

(BHARATI DANGRE, J.)

(CHIEF JUSTICE)