

AGK

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

WRIT PETITION NO.1615 OF 2025

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Santosh Maruti Shelar

... Petitioner

V/s.

The State of Maharashtra, through
the District Collector & Ors.

... Respondents

Mr. Dipak Shinde for the petitioner.

Ms. Dhruti Kapadia, AGP for respondent Nos.1 and 2 –
State.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 6, 2025

P.C.:

1. The challenge in this writ petition is to an order passed by the Chief District Magistrate in exercise of power under Rule 107(11)(d-1)(vi) of the Maharashtra Cooperative Societies Rules, 1961 which empowers the District Magistrate who passed an order to deliver possession on an application made by the Special Recovery Officer.

2. The power exercised by such District Magistrate or Chief Judicial Magistrate is executionary in nature. Therefore, no opportunity of hearing nor any reasons are required to be assigned in exercise of such function. There is no illegality in the impugned order.

3. The writ petition accordingly stands dismissed. No costs.

(AMIT BORKAR, J.)