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

WRIT PETITION NO. 2022 OF 2025

Kailash Kumar Gupta

.. Petitioner

Versus

Special Recovery Officer & Ors.

.. Respondents

Mr. Mohit Shamdasani a/w Mr. Kailash Kumar Gupta for petitioner.

Mr. Benimadhav H. Goswami for respondent nos.1 and 2.

Mr. Nikhil R. Salvi a/w Pradeep B. for respondent no.3.

Mr. O. A. Chandurkar, Addl. Govt. Pleader with Tejas J. Kapre, AGP for respondent no.4.

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**CORAM: ALOK ARADHE, CJ. &
 ARIF S. DOCTOR, J.**

DATE: 18th FEBRUARY, 2025

ORDER [Per Chief Justice]:

- 1.** Rule. Rule is made returnable forthwith. With the consent of the learned counsel for the parties, heard finally.
- 2.** In this petition, the petitioner, *inter alia*, has assailed the validity of the notice dated 13th November, 2024 issued, pursuant to order dated 13th September, 2024, passed below Exh. No.1 in Criminal M.A. No. 1333 of 2024, by the Court Commissioner, appointed by the Chief Judicial Magistrate, Thane by which physical possession of the property in question was taken from the petitioner on 4th December, 2024.

3. The learned counsel for the petitioner submits that being aggrieved by the aforesaid action, the petitioner has preferred objection on 28th December, 2024 under Rule 107(19)(a) of the Maharashtra Cooperative Societies Rule, 1961 before the Special Recovery Officer, however, till today the objection preferred by the petitioner has not been decided. It is submitted that the petition be disposed of with a direction to the Special Recovery Officer to decide the objection preferred by the petitioner in a time bound manner.
4. In view of the aforesaid submission, learned counsel for the respondent no.1 - Special Recovery Officer submits that the objection preferred by the petitioner shall be decided within such time as may be fixed by this Court.
5. In view of the aforesaid submission made and, in the facts and circumstances of the case, the petition is disposed of with a direction to the Special Recovery Officer to decide the objection preferred by the petitioner on 28th December, 2024 expeditiously, preferably within a period of six weeks from the date of receipt of copy of this order.
6. Accordingly, petition is disposed of.
7. Pending Interim Applications, if any, stand disposed of.

(ARIF S. DOCTOR, J.)

(CHIEF JUSTICE)