

Shabnoor

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

WRIT PETITION NO.2265 OF 2025

SHABNOOR
AYUB
PATHAN

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Rajendra Sureshrao Bhandlkar

... Petitioner

V/s.

State of Maharashtra Through
The District Collector & Ors.

... Respondents

Mr. Dipak Shinde, for petitioner.

Ms. Savita Prabhune, AGP for State – respondent Nos.
1 to 3 & 5.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 17, 2025

P.C.:

1. Challenge in this petition is to an order passed by the authorized representative of the District Magistrate, who in exercise of power under Rule 107(11)(d-1)(vi) of the Maharashtra Cooperative Societies, Rule, 1961 directed the petitioner to deliver the possession. The power under clause (d-1)(vi) of the Maharashtra Cooperative Societies, Rule, 1961 is not quasi-judicial order, the District Magistrate has no discretion in the matter without such an application is filed by the Special Recovery Officer for delivery of possession. The Recovery Officer needs prior approval before taking action. Hence, there is no infirmity in the impugned order.

2. The writ petition stands dismissed. No costs.

(AMIT BORKAR, J.)