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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

917 WRIT PETITION NO. 11641 OF 2025

Santosh Bansirao Jadhav And Others

VERSUS

Union Of India And Others

AND

WRIT PETITION NO. 15511 OF 2025

Sachin Rajendra Gaikwad And Others

VERSUS

Union Of India And Others

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Mr. L.H. Kawale, Advocate h/f Mr. K.J. Suryawanshi, Advocate for
Petitioners in both WPs

Mr. N.T. Bhagat, Central Government Counsel for Respondent No.1 in
WP/11641/2025

Mr. S.W. Munde, Senior Panel Counsel for Respondent No.1 in
WP/15511/2025

Mr. V.M. Kagne, AGP for Respondents No.2 to 9 in both WPs

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**CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 13 FEBRUARY, 2026

PER COURT :-

1. In view of our orders dated 28.11.2025 and 17.01.2026, the learned AGP was directed to take instructions. Now, the learned AGP has produced a copy of the application filed by the competent authority before the designated Court under the MPID Act in respect of the procedure under Section 5 of the MPID Act. The photocopy of the said application is taken on record and marked as Exhibit 'X'

2. The petitioners are depositors of respondent No. 10–Society, and according to the petitioners, the Board of Directors of respondent No. 10–Society has misutilised and misappropriated the funds of the Society amounting to more than Rs.350 crores. The Board of Directors of respondent No. 10–Society had collected huge amounts, and it is stated that the said amounts were invested by them in Tirupati Oil Mills. The Board of Directors then purchased several properties in their individual names at various places. According to the petitioners, various proceedings under the Multi State Co-operative Societies Act as well as offenses under the MPID Act have been taken up; charge-sheets have been filed bearing Special Case Nos.150/2024, 160/2024, and 189/2024; it is pending before the Additional Sessions Judge, Beed. According to the petitioner, the Government, by issuing a notification under the MPID Act dated 17.03.2025, has attached 80 immovable properties, 35 bank accounts and 6 vehicles. However, entry in respect of attachment is taken only in respect of a few properties, and the further steps have not been taken by the competent authority. As aforesaid, Exhibit ‘X’ appears to have been filed by the competent authority for further steps, wherein it has been prayed to confirm and make the attachment absolute, and even directions have been sought for distribution of the amount from the seized properties. Now, learned

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Advocate for the petitioner submits that though 80 properties have been attached, only 27 properties have been included in the application before the Designated Court.

3. It is to be noted that when matters are pending under the MPID Act before the Designated Court, there is a prescribed procedure under which the attached properties can be put to sale, and it is for the competent authority as well as the Designated Court to put such properties to sale, which would be sufficient to clear the dues even if the properties are not included at this stage. In the said application, it is not given that the further activity in respect of the rest of the 54 properties will not be taken. It is also mentioned in the petition that in the investigation, the Investigation Officer has attached 238 properties under the MPID Act and then the State Government had issued an attachment order in respect of 80 properties. All these properties can be considered by the Designated Court.

4. This Court, in its writ jurisdiction, cannot enter into disputed questions of fact, nor can it adjudicate upon the rights of the parties. The accused persons are required to be heard before further steps are taken under the MPID Act, which we expect the concerned Designated Court to undertake. Therefore, in view of the fact that an appropriate application has now been made before the Designated Court, we do not

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find that anything is left in the present writ petitions. The writ petitions are therefore dismissed.

5. The petitioners are at liberty to approach the Designated Court, if they have any right under the MPID Act.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane