

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

(Sr. No. 902) WRIT PETITION NO. 1545 OF 2026
WITH
(Sr. No. 903) WRIT PETITION NO. 1550 OF 2026

Sonia Bhalchandra Godase & Ors.

... Petitioners

Versus

The State of Maharashtra & Ors.

... Respondents

.....
Dr. Santosh Devadkar A/W Suhas Inamdar, Mohansin Sayyed, Mr. Sunita Dhanwade for the Petitioners.

Mr. Vishwanath Talkute a/w Mahesh Bhosale for Respondent No.3 - Bank.

Mr. M.M. Pabale, AGP for Respondent – State in WP 1545/2026.

Mr. S.P. Kamble, AGP for Respondent – State in WP 1550/2026.

.....
CORAM : SHAILESH P. BRAHME, J.

DATE : 16th JUNE, 2026

P. C. :

1. Heard both the sides.

2. The petitioners are challenging recovery certificate dated 05.01.2026 issued by the Deputy Registrar, Co-operative Societies, Solapur in both the petitions.

3. A preliminary objection has been raised by the learned counsel appearing for respondent No. 3 - Bank that statutory alternate efficacious remedy is available under Section 154 of the Maharashtra Cooperative

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Societies Act, 1960. Bypassing the remedy, it is impermissible to entertain the petitions.

4. My attention is adverted to common judgment passed by the co-ordinate bench on 04.11.2025 in a previous round, quashing the recovery certificate and relegating the parties to the Deputy Registrar for deciding matter afresh. The learned counsel for the respondent would point out the impugned recovery certificate to buttress that not only opportunity of hearing was given but also detailed reasons have been assigned. It is contended that it is not open for this Court to examine the validity of the reasons assigned or examine the defense of the borrowers, which was dealt with in great details.

5. Undisputedly, recovery certificates issued against the petitioners were questioned in Writ Petition Nos. 18117 of 2024 and 18118 of 2024. Those petitions were disposed of by speaking order order dated 04.11.2025 quashing the certificate and relegating the parties to the Regional Deputy Registrar for undertaking the procedure afresh. The recovery certificates which are questioned in this matter would indicate the date of hearing, appearance of the parties, consideration of the submissions and elaborate reasons running into about 17 pages while issuing certificate on 05.01.2026.

6. Learned counsel for the petitioners strenuously made submissions regarding the merits of the matter. It is tried to be pointed out that a fraud has been played upon the borrowers. The General Manager Mr. Borade is the mischief monger. No amount was ever disbursed to the borrowers, however a loan of Rs.1.35 crores and Rs.35 lakhs respectively is shown to be outstanding against them. The proceedings are founded on fraudulent record. It is tried to be impressed that borrowers are not liable to pay anything. The sanction letter dated 23.02.2022 is castigated to be fraudulent by showing date of convening of the meeting on 18.03.2022.

7. This Court finds that the submission of learned counsel for the petitioner – borrowers on facts and law, cannot be entertained once it is held that alternate efficacious remedy is available to agitate the grievance. It is impermissible to conduct objective scrutiny. For dealing with disputed question of facts statutory authority under Section 154 of the Act is available. Though there is an exigency in the matter as coercive action is initiated against the petitioners, in view of alternate remedy, it is not possible to entertain the petitions.

8. The Writ Petitions are disposed of as not maintainable.

9. It would be open for the petitioners to approach the authorities as

is permissible in law.

10. Learned counsel for the petitioners submits that protection be granted in a interregnum period till they approach the Revisional Authority. The impugned certificates were issued by reasoned order on 05.01.2026. The petitioners took chance in approaching this Court instead of approaching the Revisional Authority. No case is made out to grant protection. Request is rejected.

(SHAILESH P. BRAHME, J.)