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

**WRIT PETITION NO.12656 OF 2025**

|                             |                 |
|-----------------------------|-----------------|
| Sahadeo Yashwant Mahadaye   | ... Petitioner  |
| <b>V/s.</b>                 |                 |
| State of Maharashtra & Ors. | ... Respondents |

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Mr. Sanjay Anabhawane for the petitioner.

Mr. Bapusaheb Dahiphale, AGP for respondent No.1-  
State.

Mr. Amol Jawale for respondent Nos.2 and 3.

**CORAM : AMIT BORKAR, J.**

**DATED : OCTOBER 3, 2025**

**P.C.:**

1. The challenge in this writ petition is directed against an order of the Revisional Authority. The Revisional Authority refused to entertain the petitioner's revision which arose out of an order passed by the Special Recovery Officer under Rule 107(d-1)(vi) of the Maharashtra Cooperative Societies Rules, 1961.

2. This Court has already considered the nature of power under Rule 107(d-1)(vi) in the case of *Amit Prakash Jori & Anr. vs. State of Maharashtra*, Writ Petition No.1331 of 2025, decided on 4 February 2025. In that judgment, it has been clearly held that the power under Rule 107(d-1)(vi) is purely executionary in character. It is only meant to facilitate the process of recovery and does not involve adjudication of any rights. Once the nature of the power is held to be executionary, interference in writ jurisdiction cannot be

justified.

3. It is also a settled principle of law that a revision under Section 154 of the Maharashtra Cooperative Societies Act can be filed only against an order of a quasi-judicial nature. An order is quasi-judicial when the authority is required to decide rights of the parties after hearing them and recording reasons. The order passed under Rule 107(d-1)(vi) by the Special Recovery Officer does not fall within this category. It is not an adjudicatory order but only a step in execution. Therefore, the Revisional Authority rightly refused to entertain the revision. No error is found in such refusal. Accordingly, the writ petition cannot be entertained.

4. At the same time, the Rules themselves provide a safeguard to the borrower. Sub-rule (19) of Rule 107 of the Maharashtra Cooperative Societies Rules permits the judgment debtor to raise appropriate objections in the course of recovery proceedings. That remedy is preserved for the petitioner and can always be availed of, if so advised.

5. With this clarification, the writ petition stands disposed of.

**(AMIT BORKAR, J.)**