



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

28 WRIT PETITION NO. 8494 OF 2025

Vishal Shivajirao Musmade And Another

VERSUS

Rahuri Taluka Doctors And Chemists Urban Co Operative  
Credit Society Ltd Thr. It's Manager And Others

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Advocate for Petitioners : Mr. T. C. Shinde

AGP for Respondents : Mr. D R Korade

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**CORAM : S. G. CHAPALGAONKAR, J.**

**Dated : July 16, 2025**

**PER COURT :-**

1. Heard Mr. Shinde, learned advocate appearing for the petitioners.
2. The petitioners impugns recovery certificate dated 6.12.2023 issued under section 101 of the Maharashtra Co-operative Societies Act by respondent no.3, so also petitioners impugn the proclamation dated 17.5.2025 issued by respondent no.2 to sell the mortgage property in public auction on 30.6.2025.
3. It appears that, till this date the auction is not fructified. The learned advocate appearing for petitioners submits that he has tendered a Demand Draft of Rs.13,65,000/- (Rs. Thirteen Lakh Sixty Five Thousand) dated 16.7.2025 drawn in the name of Registrar of this Court to show his bonafides and submits that, if the issue as to charging of the interest is settled, he would even deposit the amount of interest. Presently, the

amount as shown in the recovery certificate is deposited with this Court.

4. In that view of the matter, issue notice to the respondents, returnable after two weeks. Learned AGP waives notice for respondent no.3.

5. The petitioners shall be at liberty to serve respondents by any alternate mode, as is permissible under law and file affidavit of service by returnable date.

6. Till further orders, the Auction Proceeding if taken, shall not be finalized.

**( S. G. CHAPALGAONKAR )**  
**Judge**

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