



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1962 OF 2026

Sachin Shyam Suryawanshi and Ors.

Vs.

State of Maharashtra, Thru. Secretary, Ministry of Cooperation, Textile and Marketing
Department, Hutatma Rajguru Square, Mumbai and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Shamish Agrawal, Advocate a/w Mr. Rayhaan Ahmed,
Advocate for petitioners.

Ms. Sonia Thakur, AGP for respondent Nos.1, 3 & 4/State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 09.03.2026

Heard learned counsel for the petitioners.

2. By this petition, the petitioners' have challenged to the attachment order dated 17.06.2025 issued by the respondent No.2 – Shikshak Sahakari Bank Ltd., Nagpur, based on the recovery certificate under Section 101 of the Maharashtra Co-operative Societies Act, 1960.

3. Learned counsel for the petitioner submits that the order granting recovery certificate was never served upon the petitioners and as such, impugned action for attachment of his house property is arbitrary and illegal.

4. Issue notice to the respondents, returnable on 18.03.2026.
5. Learned AGP waives service of notice on behalf of respondent Nos.1, 3 & 4/State.
6. The petitioners are permitted to serve the respondent No.2 by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.
7. Learned counsel for the petitioners, on instructions, makes a statement that the petitioner is ready to deposit an amount of Rs.3 Lakhs in this Court.
8. Having regard to the controversy involved, the petitioners are directed to deposit an amount of Rs.3 Lakhs with this Court within a period of two weeks from today.
9. Subject to deposit of the amount, the action of attachment against the petitioners' house property based on order dated 17.06.2025 shall not be proceeded till next date.

(Prafulla S. Khubalkar, J.)