



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.2408 OF 2026

SANJAY S/O BAPURAO BHIVGADE
VS
DIVISIONAL JOINT REGISTRAR, COOPERATIVE SOCIETIES, NAGPUR AND
OTHERS

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

Court's or Judge's orders

Mr. Rohan Chandurkar, Advocate for the petitioner/s
Ms K.P. Marpakwar, AGP for the respondent Nos.1 and 6/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 25.03.2026

1. Heard the learned counsel for the petitioner.
2. The petitioner has filed revision petition under Section 154 of the Maharashtra Cooperative Societies Act, 1960 (hereinafter referred to as "the Act of 1960") before the respondent No.1 - Divisional Joint Registrar, Nagpur on 20.07.2025. The Aforesaid revision is at record Page 40, (Annexure-10).
3. Since the aforesaid revision was seeking challenge to the Recovery Certificate dated 02.02.2025 issued by the Assistant Registrar Cooperative Societies, Nagpur under Section 101 of the Act of 1960, the respondent No.1 though condoned the delay in filling the aforesaid revision, vide order dated 16.12.2025, has directed the petitioner to

deposit 50% amount to be recovered under Recovery Certificate (issued under Section 101 of the Act) as per the provisions of the Sec. 154(2A) of the Act of 1960. The aforesaid deposit is a statutory deposit without which the revision cannot be entertained by the respondent No.1.

4. The contention is that the total amount to be recovered is Rs.15,13,830/- as per the Certificate dated 02.02.2025, whereas an amount of Rs.20,00,000/- has already been deposited with the respondent No.2-Bank and thus, the statutory deposit of 50% that will come around Rs.7,50,000/- can very well be appropriated from the aforesaid amount deposited with the respondent No.2-Bank.

5. In view of above, issue notice to the respondents, returnable on **18.04.2026**.

6. The learned AGP waives service of notice for the respondent/State.

7. The petitioner is permitted to serve the remaining respondents by private mode, in addition to the regular mode of service and shall file an affidavit by next date, failing which the petitioner shall deposit costs of Rs.500/- in the Public Welfare Account maintained with Union Bank of India, High Court Branch, Civil Lines, Nagpur,

bearing Account No. 129712010001014 and IFSC Code UBIN0812978.

8. Office objections(s), if any, shall be removed before the next date.

9. In the meanwhile, if respondent No.3-Special Recovery Officer proceeds with recovery of the aforesaid amount pursuant to the Certificate dated 02.02.2025 issued under Section 101, against properties which are not mortgaged, such recovery shall be subject to the outcome of the present petition.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)