

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Writ Petition No. 3917 of 2006**

Bramhananad Sharma & Ors.

---- Petitioners**Versus**

Jila Sahkari Kendriya Bank Maryyadit, Raipur

---- Respondent

For Petitioners	:	Shri H. B. Agrawal, Sr. Advocate along with Shri Pankaj Agrawal, Advocates
For Respondent	:	Shri Durgesh Goyal, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****17/09/2015**

Learned Senior counsel appearing for the petitioners, after arguing for sometime in respect of the maintainability of the writ petition in the light of there being an alternative remedy under the provisions of Chhattisgarh Co-operative Societies Act, prays for withdrawal of the writ petition with liberty to approach the competent Authority under the Cooperative Societies Act. However, he makes a prayer that since considerable time has been spent in the litigation before this Court, the period spent in the writ petition may not come in their way while considering the issue of limitation before the concerned Authority under the Chhattisgarh Cooperative Societies Act.

2. Accordingly, without expressing any opinion on the merit of the case, the instant writ petition is dismissed as withdrawn in the light of having an alternative remedy available under the Chhattisgarh Co-operative Societies Act.

3. However, in the event the petitioners approach the competent Authorities along with an application for condonation of delay the period

spent in the writ petition, the same should be taken sympathetically and shall be treated as *bona fide* prosecution of their grievance before different forums while considering the application for condonation of delay.

4. With the aforesaid observation, the writ petition is accordingly dismissed as withdrawn.

Sd/-
(P. Sam Koshy)
JUDGE

Bhola