

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CIVIL APPLICATION NO.5333 OF 2014
IN
WRIT PETITION NO.9066 OF 2012

The Kopargaon Merchants'
Co-operative Bank Ltd.,
Kopargaon, Dist. Ahmednagar
Now Balasaheb Satbhai Merchants'
Co-operative Bank Ltd., Kopargaon
through its Liquidator
Anil s/o Rangnathrao Puri

..Applicant

Versus

Sambhaji s/o Shivajirao Dange
and ors.

..Respondents

Mr N.R. Bhavar, Advocate for applicant

CORAM : N.W. SAMBRE, J.

DATE : 11th December 2015

PER COURT

1. By order dated 6th December 2013 against the outstanding dues of Rs.29,18,773/- for which a recovery certificate under Section 101 of the Maharashtra Co-operative Societies Act was issued in July 2005. The original petitioner was directed to deposit an amount of Rs.15,00,000/- out of which the petitioner has deposited Rs.10,00,000/- in this Court.

2. Subsequent thereto, the petitioner has not complied with the order by depositing balance amount of Rs.5,00,000/- till date.

3. The certificate issued under Section 101 of the Maharashtra Co-operative Societies Act is questioned in the petition.

4. This is an application for granting permission to withdraw the amount deposited. The non-applicants/respondents though served, none appears. As the contents of the application are not controverted, it will be appropriate to allow the application.

5. The applicants are permitted to withdraw the amount of Rs.10,00,000/- with interest, if any accrued thereon.

6. Civil Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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