

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2545 OF 2015

Bhist Bag Gramin Bigar Seti Pat Sanstha,
Nagapur and Ors.

....Applicants

Versus

The State of Maharashtra and Anr.
....Respondents.

Mr. D.G. Nagode, Advocate for applicants.

Mr. U.H. Bhogle, APP for State.

CORAM : T.V. NALAWADE, J.

DATED : 24th June, 2015.

ORDER :

1. Notice. The learned APP waives notice for State.

2. In view of the letter given by the District Bank itself which is produced with application and dated 6.2.2015 there is no need of hearing to respondent No. 2. Respondent No. 2 has no interest in the amount and the amount was kept with respondent No. 2 only due to the order made by this Court and now entitlement of the Society needs to be considered. The learned counsel for applicant, who has deposited the amount submitted that proceeding under section 88 of Maharashtra Co-operative Societies Act has been decided and the liability is

fixed. He made a statement that in view of the liability the amount needs to be given to the Society. He submitted that the bank is not making payment to the Society and that is informed by the letter dated 6.2.2015. Copy of the order made by this Court in Criminal Application No. 3401/2008 along with other matters and dated 26.11.2008 is produced in this behalf.

3. In view of these circumstances, the application is allowed. The amount is to be given to the Society by the District Bank. Application is disposed of.

[T.V. NALAWADE, J.]

ssc/