

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.9891 OF 2014

Shri Jalindhar Vishwanath Jadhav).. Petitioner

V/s

Kranti Sahakari Sakhar Karkhana Ltd).. Respondent

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Umesh Mankapure, for petitioner.

None for the respondent.

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CORAM : M.S. SONAK, J.

DATE : JANUARY 07, 2015

P.C.

1] This petition challenges the order dated 01 August, 2014 made by the Maharashtra State Co-operative Appellate Court, Mumbai, Bench at Pune, dismissing the petitioner's appeal against the order, which required the petitioner to provide the bank guarantee of Rs.5 lacs in order to secure the amounts claimed of the respondent No.1-Bank.

2] Heard Shri Mankapure, the Learned Counsel for the petitioner and perused the record. I find that the impugned judgment and order is not vitiated by any jurisdictional error or perversity. The impugned judgment and order notes that the case of the respondent is based on Ledger Account maintained by it. In the

enquiry held against the petitioner, the Enquiry Officer has also returned findings that the respondent had advanced certain amounts from time to time to the petitioner, which the petitioner has failed to account. The petitioner has himself stated that he has no intention to sell or dispose of his property. Against the claim of Rs.12 lacs raised by the respondent, the impugned order merely requires petitioner to provide bank guarantee in an amount of Rs.5 lacs.

3] Therefore upon overall consideration of facts and circumstances, there is no case made out to warrant interference with the impugned order. The writ petition is accordingly dismissed. There shall be no order as to costs.

(M.S. SONAK, J.)