

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10645 OF 2013

Kai Anandrao N. Jadhav (Inamdar)
Vividh Karyakri Sahakari (Vikas) Seva
Sanstha Ltd. and others

..Petitioners

Versus

The Kolhapur District Central Co-op.
Bank Ltd. and others.

..Respondents

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Mr. Gajanan M. Savagave, for the Petitioners.

Mr. Tejpal S. Ingale, for respondent No.1.

Mr. S.P. Bharati, for respondent No.2.

Ms. Purnima Awasthi and Mr. Parag Vyas, for respondent No.3.

Mr. V.S. Gokhale, AGP, for respondent No.4.

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CORAM : A.S. OKA, AND
A.R. JOSHI, JJ.

DATE : 21st AUGUST, 2015

P.C.

1. Heard learned Counsel appearing for the petitioners.
2. This Petition is filed by 55 Co-operative Societies registered under the provisions of the Maharashtra Co-operative Societies Act, 1960. The grievance in the Petition is as regards direction given by the relevant respondents to recover certain amounts from the respective accounts of the members of the petitioners. The contention is that the recovery has been ordered on the ground that the concerned members have availed the

benefit of Agricultural Debt Waiver and Debt Relief Scheme, 2008 though they were not entitled to benefits of the said schemes. The contention of the petitioners is that the order of recovery has been in respect of the accounts of the members who are not even the borrowers of the petitioner society.

3. In our view, such a grievance in the form of a Petition under Article 226 of the Constitution of India cannot be entertained at the instance of the petitioners who are the Societies. If any individual member has any grievance regarding recovery initiated on the basis of orders passed by the concerned respondents, it is for the individual members to adopt appropriate remedy in accordance with law for challenging the action of deduction/recovery. No relief can be granted in a Petition filed by the petitioners–Societies.

4. Subject to what is observed above, Petition is disposed of.

(A. R. JOSHI, J.)

(A. S. OKA, J.)