

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

WRIT PETITION NO.9347 OF 2014

Bikram Singh Bamra and anr.).. Petitioners.

V/s

Punjab and Maharashtra Co-operative)
Bank Ltd).. Respondent.

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C.K. Tripathi, for petitioners.
None for the respondent.

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**CORAM : M.S. SONAK, J.
DATE : JANUARY 07, 2015**

P.C.

1. By this petition, the petitioner questions the notice dated 26th July, 2014, issued by the Arbitrator, in order to adjudicate the dispute between the petitioners and respondent No.1, in purported exercise of power under Section 84 of the Multi State Co-operative Societies Act, 2002 (in short the said Act).
2. It is the case of petitioners that no dispute survives between the petitioners and the bank, since the petitioners in the full and final settlement, have paid the amount of Rs.9.5 lacs to the respondent No.1-Bank way back in the Year-2004. It is also contention of the petitioners that they are not the members of

the respondent No.1-Bank, which now claims to be the Multi State Co-operative Bank and consequently, the dispute under Section 84 of the said Act is incompetent.

3. In my judgment, this is not an issue which can be directly gone into for the first time, in writ jurisdiction under Article 227 of the Constitution of India. The petitioners are at liberty to raise such issue before the appropriate forum, and the appropriate forum will undoubtedly take into consideration such objection and decide upon the same in accordance with law.
4. With the aforesaid observations, the present writ petition is not entertained and is disposed of.
5. There shall be no order as to costs.

(M.S. SONAK, J.)