IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2492 OF 2014

(The Distt. Central Co-Op. Bank Ltd. & anr. Vs. Union of India through Secretary, Ministry of Finance & others)

WITH

WRIT PETITION NO. 2494 OF 2014

(Buldhana Distt. Central Co-Op. Bank Ltd. & anr. Vs. Union of India thr. Secretary, Ministry of Finance & others)

WITH

WRIT PETITION NO. 2495 OF 2014

(Nagpur Distt. Central Co-Op. Bank Ltd. & anr.Vs. Union of India through Secretary, Ministry of Finance & others)

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

---

Shri M. V. Samarth, Advocate for the petitioners.
Shri A. S. Jaiswal, Senior Advocate for respondent No.2.
Smt. B. H. Dangre, Govt. Pleader for respondent Nos. 3 & 4.

CORAM : B. R. GAVAI AND
Z. A. HAQ, JJ.
DATED : 22 DECEMBER, 2015

Heard learned Counsel for the respective parties.

Perusal of paragraph-3 of the affidavit filed by R. Srinivasa Rao, Assistant General Manager, Reserve Bank of India dated 02/12/2015 reveals that after rejection of the application for license of the petitioners-Banks, Government of India has formulated a revival package for rehabilitation of 23 unlicensed District Central Co-operative Banks (DCCBs) in the country. The affidavit further shows that a memorandum of understanding (MOU) has been signed between the

Central Government, State Government and National Bank for Agriculture and Rural Development (NABARD). It is further stated that under the package, an amount of Rs.379.67 crore has been infused by the Central Government, State Government and NABARD in three District Central Co-Op. Banks in Maharashtra including the petitioners herein.

Perusal of the affidavit further reveals that the NABARD has conducted inspection of the petitioners-Banks and has observed that the petitioners-Banks needed additional funds to attain Capital to Risk (Weighted) Assets Ratio (CRAR) of 7%.

The learned Government Pleader has made a statement that necessary approval has already been granted by the State Legislature for the said financial assistance. She further submits that insofar as the petitioner-Nagpur District Central Co-Op. Bank is concerned, actual payment has also been made and insofar as the other petitioners-banks are concerned, same would be done within a period of fifteen days from today.

It could thus be seen that after rejection of the application for licence, fresh procedure for consideration of grant of licence is in progress. Applications have already been filed by the petitioners-Banks under Section 22 read with Section 56 of the Banking Regulation Act, 1949.

In that view of the matter, we find that nothing survives in the matter. The petitions are disposed of accordingly.

Needless to state that the respondent-NABARD would carry out the inspection and the respondent-Reserve Bank of India shall decide the applications of the petitioners-Banks, in accordance with law without being influenced by earlier rejection of the applications.

JUDGE **JUDGE**