

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CONTEMPT PETITION NO.:535 OF 2016
IN
WRIT PETITION NO.:12266 OF 2015
Antikabai Bhimrao Kudar
VERSUS
Ganesh Narayan Thale And Another

WITH
CONTEMPT PETITION NO.:536 OF 2016
IN
WRIT PETITION NO.:12262 OF 2015
Watchalabai Uttamrao Raut
VERSUS
Ganesh Narayan Thale And Another

WITH
CONTEMPT PETITION NO.:537 OF 2016
IN
WRIT PETITION NO.:12263 OF 2015
Manikrao Narayanrao Sapkal
VERSUS
Ganesh Narayan Thale And Another

WITH
CONTEMPT PETITION NO.:538 OF 2016
IN
WRIT PETITION NO.:12264 OF 2015
Gayabai Sarjerao Rindhe
VERSUS
Ganesh Narayan Thale And Another

WITH
CONTEMPT PETITION NO.:539 OF 2016
IN
WRIT PETITION NO.:12259 OF 2015
Trimbak Sonaji Danve
VERSUS
Ganesh Narayan Thale And Another

WITH
CONTEMPT PETITION NO.:540 OF 2016
IN
WRIT PETITION NO.:12260 OF 2015
Sheshrao Raghu Shinde
VERSUS
Ganesh Narayan Thale And Another

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Shri Lute Sandeep N., Advocate for Petitioners.
Shri V.D.Hon, Senior Advocate h/f Shri Hon Ashwin V. for R/1 and 2.
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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 26th September, 2016

Per Court:

1 The only issue in these petitions is with regard to the payment of 9% interest per annum on the gratuity amount. The actual gratuity amount has already been disbursed to all the Petitioners.

2 Shri Hon, learned Senior Advocate tenders an affidavit in reply on behalf of both the Respondents, namely, Mr.Ganesh Narayan Thale, who is the Chairman of Bhokardan Taluka Sahakari Kharedi Vikri Sangh Limited, Bhokardan, District Jalna and Mr.Shaukat Syed Ali, who is the Manager of the said Society. The affidavit dated 30.08.2016 is sworn by Shri Ganesh Narayan Thale.

3 While taking the affidavit on record for the purpose of all the

petitions, it needs mention that the Respondents have tendered an unconditional apology. It is further stated that the business activities of the Society have come to a standstill and it has suffered huge financial loss. The balance sheets from 01.04.2009 till 31.03.2016 would indicate the loss suffered. It is further stated that the Society is trying to dispose of its immovable properties.

4 The communication dated 23.09.2016 signed by Respondent No.2 and addressed to the Assistant Deputy Registrar is also placed on record, which is marked as Exhibit X for identification. Based on Exhibit X, Shri Hon submits on instructions from the Respondents present in the Court that they are seeking permission to dispose of their godowns. After the permission is received, they will follow the due procedure of auctioning the property and within a period of three or four months from today, interest amount which is approximately Rs.4 lac and odd would be disbursed to each of the Petitioners as per the proportionate payment of interest amount.

5 The learned Advocate for the Petitioners submits on instructions that if the statement of the Respondents is being recorded, they can be directed to pay interest amount to these Petitioners within four months from today and as such, these petitions can be disposed of, by

passing the said order today.

6 Considering the above, the statement of the Respondents is recorded as above. In the light of the said statement and in the light of Exhibit X coupled with the statements made in the affidavit in reply, these Contempt Petitions are disposed of. The Respondents shall ensure that they shall take speedy steps for disposing of the godown properties and shall further ensure that interest amounts are paid to these Petitioners expeditiously and in any case, within FOUR MONTHS from today, failing which further interest would be payable on the amounts of interest unpaid.

kps

(RAVINDRA V. GHUGE, J.)