

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1637 OF 2015

BHAUSAHEB DEORAO AUTADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. C.V. Thombre
AGP for Respondent Nos. 1 to 4: Mrs. A.V. Gondhalekar.
Advocate for respondent No.5 : Mr. N.P. Bangar.

CORAM : S.V. GANGAPURWALA
& K.K. SONAWANE, JJ.
DATE : 29th JUNE , 2016.

PER COURT:

1] We have heard Mr. Thombre, Advocate for the petitioner, Mrs. Gondhalekar, AGP and Mr. Bangar for the respondents.

2] Learned AGP points out that as per the scheme itself, the Commissioner of Cooperation is the competent authority to consider one time settlement scheme. The petitioner prays for directions against the respondent bank to extend the benefit of one time settlement scheme to the petitioner. According to respondent bank, the scheme has not been adopted by the respondent bank.

3] The said scheme has been given the status of a standing order and the Commissioner of Cooperation has been nominated as the competent authority. In the light of that, if the petitioner has any grievance with regard to the said scheme, then the petitioner is at liberty to move the Commissioner of Cooperation and Registrar, Cooperative Societies, M.S., Pune for the redressal of his grievance. If such an application is made by the petitioner, the Commissioner of Cooperation shall consider the said application on its own merits, of course, after calling the say and hearing the respondent bank also, expeditiously and preferably within three months from

the date of receipt of the application.

4] With these observations, the writ petition is disposed of. All contentions of the respective parties are kept open. The amount of Rs. 2 Lakhs deposited by the petitioner, pursuant to the order of this Court are allowed to be withdrawn by the bank and in case, the claim of the petitioner is considered by the Commissioner of Cooperation, the said amount shall be adjusted/considered while deciding the claim of the petitioner. In the circumstances, there shall be no orders as to costs.

[K.K. SONAWANE]
JUDGE

[S.V. GANGAPURWALA]
JUDGE.

grt/-