

The Chief Executive Officer (I.C.)	...	Petitioner
V/s.		
The District Co-operative Election Officer & Others	...	Respondents

Mr.S.S.Kulkarni for Respondent No.2.

DATE : 09th FEBRUARY, 2016.

There is no necessity to entertain the present Petition. However, some clarification is necessary in the context of certain observations in the impugned order, to the effect that the Respondent No.2 is not a defaulter qua the Petitioner Bank.

2. It is the contention of the Petitioner Bank that though, the Petitioner has repaid the principal amount of

Rs.50,00,000/- to the Petitioner Bank, the Respondent No.2 is liable to pay interest thereon. On the other hand, the learned Counsel for Respondent No.2 points out that the Respondent No.2 is not at all a defaulter and infact, the Officers have issued him a “No Dues Certificate”. Further, the learned Counsel for the Respondent No.2 has pointed out that the Respondent No.2 has already instituted Dispute No.581 of 2006 before the Co-operative Court at Nashik, disputing the liability to pay any further amounts to the Petitioner Bank. The said dispute is also pending.

3. In view of the aforesaid, it is clarified that none of the observations in the impugned order (Exhibit-“E”, Page 87 of the Paper Book) shall come in the way of both the parties proceeding with their respective contentions in the pending dispute No.581 of 2006. Therefore, it is clarified that the pending Dispute No.581 of 2006 shall be decided on its own merits and in accordance with the law, without in any manner, being influenced by any observations in the impugned order. All contentions of all parties are therefore kept open.

4. With the aforesaid clarification this Petition is disposed of. There shall be no order as to costs.

(M.S. SONAK, J.)