

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

WRIT PETITION STAMP NO.30572 OF 2016

**M/s. Raman Hospital
Through its Parnters
Mr. Raman Bhimrao Umralkar
Mrs. Anita Raman Umralkar : Petitioner.
versus
Mahanagar Co.op Bank Limited
Previsouly known as Ahmadnagar Sahakari
Bank ltd. and ors. : Respondents.**

**Mr. V S Kapse a/w Mr. U A Mahadik i/by Fast Track Legal for the
Petitioner.
Mr. P A Sarwankar for the Respondent No.1.**

**CORAM : R. M. SAVANT, J.
DATE : 16th November 2016**

P.C.

1 The writ jurisdiction of this court is invoked in view of the fact that the Co-operative Appellate Court has not passed any orders on the application for stay. The Petitioner who is the original borrower is faced with the Award passed by the Co-operative Court by which Award the dispute in question came to be partly allowed to the extent mentioned in the Award passed by the Co-operative Court. Against the said Award the Petitioner has filed an Appeal wherein it has moved an application for stay. However, it is the case of the Petitioner that no orders as yet have been passed on the application for stay as a result of which it is the case of the Petitioner that it is required to invoke the writ jurisdiction of this Court.

2 Upon this, the learned counsel appearing on behalf of the Respondent No.1 Bank states that the application for stay is to come up for hearing tomorrow i.e. on 17/11/2016 before the Co-operative Appellate Court.

3 If that be so, the Co-operative Appellate Court is directed to hear and decide the said stay application latest by 30/11/2016 by giving proper opportunity to the parties. In the light of the aforesaid directions, there is no warrant to interdict with the proceedings in the writ jurisdiction of this Court. Till 30/11/2016, the status quo as on date would be maintained subject to the orders that would be passed on the application for stay filed by the Petitioner. With the directions as aforesaid the above Writ Petition is disposed of.

[R.M.SAVANT, J]