

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11116 OF 2014

The Liquidator,
Tasgaon Taluka Sahakari Karkhana Ltd.,
(In Liquidation), Tal. Tasgaon, Dist. Sangli. Petitioner

V/s.

The Authorised Officer and Manager,
Maharashtra State Co-operative Bank Ltd.,
Kolhapur & Ors. Respondents

ALONG WITH

WRIT PETITION NO.11353 OF 2014

Shree Ganpati Jilha Krushi Audyogic
Sarva Seva Sahakari Sangh Ltd., Sangli Petitioner

V/s.

The Managing Director,
The Maharashtra State Co-operative Bank Ltd.,
Fort, Mumbai & Ors. Respondents

Mr. Umesh R. Mankapure for the Petitioner in
WP/11116/2014.

Mr. G.S. Godbole, Sr. Counsel, i/by
Mr. Bhushan A. Walimbe, for Respondent
Nos.1 and 2 in both the Petitions.

Mr. Ashutosh A. Kumbhakoni, Sr. Counsel,
a/w. Mr. A.M. Kulkarni and Mr. Akshay Shinde,
for the Petitioner in WP/11353/2014 and for
Respondent No.3 in WP/11116/2014.

CORAM : S.C. DHARMADHIKARI &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 20TH APRIL, 2016.

P.C. :

1. We have heard Mr. Mankapure, learned counsel appearing for the Petitioner in Writ Petition No.11116 of 2014.

2. At the stage at which this matter is brought, namely, a conditional order is passed on an application for waiver of the condition of pre-deposit, we are not inclined to interfere in our writ jurisdiction. In the event, the Liquidator claims on the strength of some affidavit filed by the Secured Creditors i.e. the Maharashtra State Co-operative Bank stating that the said Bank does not stand by any private sale, then, the Liquidator is free to approach the Debts Recovery Appellate Tribunal and request it to delete the condition imposed or modify its earlier order under some changed circumstances.

3. Granting that liberty and finding that the stage at which the matter is brought before this Court is not fit for interference, we dispose of these Petitions.

4. We clarify that, despite voluminous record and lengthy arguments, we have not examined any of the materials placed before this Court.

[DR. SHALINI PHANSALKAR-JOSHI, J.] [S.C. DHARMADHIKARI, J.]