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HIGH COURT OF CHHATTISGARH, BILASPUR**WA No. 446 of 2017**

(Arising out of order dated 10.10.2017 in WP(S)No.3875/2017 of the learned Single Judge of this Court)

C.G. State Co-Operative Bank Maryadit Through Managing Director,
C.G.State Co-Operative Bank Ltd., Head Office Raipur,
Chhattisgarh(Res.No.4)

---- Appellant

Versus

1. Zila Sahakari Kendriya Bank Maryadit Durg Thruh Its Chairman Preetpal Bel Chandan S/o Late Bahadur Lal, 56 Years, Office At G.E.Road, Durg, Tahsil & District Durg, Chhattisgarh (Petitioner)
2. State Of Chhattisgarh, Through Secretary Department Of Co-Operative Societies, Mantralaya, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh(Res.No.1)
3. Registrar Co-Operative Societies Of Chhattisgarh, Block-B, 2nd & 3rd Floor Departmental Office, Indravati Bhavan, New Raipur, District Raipur, Chhattisgarh(Res.No.2)
4. Joint Director, Co-Operative Societies, Durg Division, Maharaja Chowk, Borsi Road Durg, District Durg, Chhattisgarh (Res.No.3)
5. Collector, Durg, District Durg, Chhattisgarh(Res.No.5)
6. Shri S.K.Joshi, Special Class Managing Director, Chhattisgarh State Co-Operative Bank Maryadit, Headquarter At Raipur, District Raipur, Chhattisgarh(Res.No.6)
7. N.K.Swarnakar, In-Charge Chief Executive Officer, Zila Sahakari Kendriya Bank Maryadit, Durg, G.E.Road Durg, District Durg, Chhattisgarh(Res.No.7)

---- Respondents

And

WA No. 447 Of 2017

S.K. Joshi S/o Late Shri M.D. Joshi, Aged About 54 Years Working As Chief Executive Officer, Resident Of Plot No. 19 - B, Vidyut Nagar, Post Office Kasaridih, District Durg Chhattisgarh.....(Respondent On. 6)

Appellant**Vs**

1. Zila Sahakari Kendriya Bank Maryadit Durg, Through Its Chairman Preetpal Bel Chandan S/o Late Bahadur Lal, 56 Years, Office At G.E. Road, Durg, Tahsil And District Durg Chhattisgarh.....(Petitioner)
2. State Of Chhattisgarh, Through The Secretary, Department Of Cooperative Societies, Mantralaya, Mahanadi Bhawan, New Raipur Chhattisgarh.
3. Chhattisgarh State Cooperative Bank Maryadit, Through Managing Director, Chhattisgarh State Cooperative Bank Ltd., Head Office. Raipur Chhattisgarh.
4. The Registrar, Cooperative Societies Chhattisgarh, Block - B, 2nd And 3rd Floor Departmental Office, Indravati Bhawan, New Raipur Chhattisgarh.
5. The Joint Director Cooperative Societies, Durg Division, Maharaja Chowk, Borsi Road, Durg District Durg Chhattisgarh.
6. The Collector, Durg, District Durg Chhattisgarh.
7. N.K. Swarnakar, Incharge Chief Executive Officer, Zila Sahakari Kendriya Bank Maryadit, Durg, G. E. Road Durg, District Durg Chhattisgarh

---- Respondents

For Appellants	: Shri Prafull Bharat and Shri Goutam Khetrapal, Advocates for the respective appellants
For State	: Shri R.K. Gupta, Deputy Advocate General
For Respondents	: Kishore Bhaduri, Shri Rakesh Jha, Shri Jitendra Shrivastava, Shri V.G. Tamaskar and Shri Manish Upadhyay for the respective respondents

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice

Hon'ble Shri Sharad Kumar Gupta, Judge

Order On Board

Per Thottathil B. Radhakrishnan, Chief Justice

22/11/2017

1. We have heard the learned counsel for the appellant which is an Apex Co-operative Society. It is the 4th respondent in the writ petition from which these appeals arise.
2. These appeals are against an interlocutory order. The learned counsel for the first respondent-writ petitioner points out that the appeals are not

maintainable since they are against an interlocutory order.

3. The learned counsel for the appellants argued that the reference to the legal provisions made in the impugned order do not reflect the true state of affairs and the Rule position has changed by virtue of subsequent amendment. To our query, we have been told that none of the parties have any objection to expeditious disposal of the application for vacating the stay, pending before the learned Single Judge.
4. We see that the impugned order does not decide any issue as between the parties that would result in final determination of any aspect of the */is* pending before the learned Single Judge.
5. In the light of the aforesaid, while we decline to entertain these writ appeals, we record the very persuasive submission of the learned counsel for the Apex Society that the learned Single Judge may expeditiously consider the application for vacating stay. Recording that, these writ appeals are dismissed without expressing anything on merits. It will be open to the appellants to mention before the learned Single Judge for an early posting of the matters.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(Sharad Kumar Gupta)
Judge