

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO. 668 OF 2017

Dattatray s/o Pandurang Awhad

.. PETITIONER

VERSUS

Assistant Registrar
Co-operative Societies, Aurangabad
& others

.. RESPONDENTS

Mr. S.M. Awachar, advocate for petitioner.
Mr. A.V. Deshmukh, AGP for the State.
Mr. L.H. Kawale, advocate for respondents 3 and 4.

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CORAM : S. B. SHUKRE, J.

DATE : 3rd FEBRUARY, 2017.

PER COURT :

1. After hearing learned counsel for petitioner, learned AGP for respondent nos. 1 and 2, learned counsel for respondent nos. 3 and 4 and, respondent no. 5A, I am of the opinion that the purpose of this petition shall be served by issuing following directions :

A. Following the willingness shown by petitioner as well as respondent no. 5A to repay the dues of Shri Mahesh Urban Cooperative Bank Aurangabad Ltd., Aurangabad, it is directed that petitioner and/or respondent no. 5A shall deposit in this Court an amount of Rs. 20,000/-, out of the total dues of Rs. 3,10,518/- as on 31st August, 2016, forthwith, during the course of the day and, the remaining amount within four weeks from today. On such deposits being made, the bank shall be at liberty to withdraw the amount and apply it towards satisfaction of the loan dues.

B. If the amount as directed by this order is not deposited during the course of the day, today, or if the remaining amount is not deposited in this Court within four weeks from the date of the order, the Enquiry Officer shall be at liberty to proceed against petitioner as well as respondent no. 5A as per the notice issued to them on 23rd May, 2016.

C. The bank shall be at liberty to recover additional amount, if due against respondent no. 5A as well as the petitioner.

2. With these directions, the writ petition is disposed of. No costs.
3. Pending civil application, if any, does not survive and stands disposed of.

(S. B. SHUKRE)
JUDGE

dyb