

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5676 OF 2017

Citizen Credit Cooperative Bank Ltd.

...Petitioner

vs.

Commissioner of Co-Operation and Registrar
of Co-operative Societies and Others

...Respondents

Mr. Rui Rodrigues a/w. Mr. Atul Kshatriya & Mr. Ankur Kalal i/b.
Markand Gandhi & Co., for the Petitioner.

Mr. Floyd Francis Mariano Gracias, for Respondent Nos. 5,6 and 8.

Ms. A.D. Vhatkar, AGP for Respondent-State.

**CORAM : SHANTANU S. KEMKAR &
B.P. COLABAWALLA, JJ.**

DATE : JUNE 21, 2017

P.C.:

. Parties through their counsel.

2. After arguing for some time, learned Counsel for the Respondent Nos. 5, 6 and 8 seeks permission to withdraw the Applications dated 5th January, 2017 which was filed before the Respondent Nos. 1 as also 3 under Section 84(4) of the Multi State Cooperative Societies Act, 2002. He submits that the Respondent Nos. 5, 6 and 8 be permitted to file a fresh proceeding before the Registrar, Cooperative Societies, State of Maharashtra.

3. The prayer is accepted. In the circumstances, we allow the Respondent Nos. 5, 6 and 8 to withdraw the Applications as mentioned aforesaid.

4. As a consequence, the orders passed under the said Application/Proceeding by the Respondent No. 1 and also by Respondent No. 3 stand cancelled and the consequential action taken shall also stand quashed.

5. The Respondent Nos. 5, 6 and 8 are at liberty to file a fresh Application within 30 days from today. In case the same is filed within 30 days, the same shall not be dismissed by the Authority on the ground of limitation and the Authority shall pass appropriate orders on it in accordance with law uninfluenced by the earlier orders passed by the State authority as also by the Central authority.

6. With the aforesaid, the Petition is dismissed.

(B.P. COLABAWALLA, J.)

(SHANTANU S. KEMKAR, J.)