

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8052 OF 2013**

Shri Albert Pistoba Bardaskar & Ors

..Petitioners

Vs.

Bhaudargad Nagari Sahakari Patsantha

Maryadit & Ors

..Respondents

Mr. K. S. Patil for the Petitioners

Mrs. R. A. Salunkhe AGP for the Respondent State

**Mr. A. S. Khandeparkar i/b Khandeparkar and Associates for the
Respondent No.6**

Mr. A. M. Kulkarni for the Respondent No.1

**CORAM :R. M. SAVANT, &
SARANG V KOTWAL, JJ
DATE : 22nd NOVEMBER, 2017**

P.C.

1 The Petitioners are aggrieved by the letter dated 28-5-2013 which is a communication addressed by the General Manager of the Respondent No.1 Bank. By the said letter the Respondent No.1 has not acceded to the request made by the Petitioners by their letter dated 12-6-2012. The issue which is raised by the Petitioners by the said letter dated 12-6-2012 is the Petitioners' entitlement to refund of the amount after deducting the amount that is payable to the Bank in terms of the order passed by the Assistant Registrar of Co-operative Societies dated 30-4-2012. The said refund is sought of the amount excluding the amount to which the Respondent No.1 Bank is entitled to under the said order.

2 It seems that the liquidation proceedings were on going when the said letter dated 28-5-2013 was issued as can be seen from the letter head on which the said communication is appearing. In view of the fact that the liquidation proceedings have now progressed and a liquidation committee consisting of three persons is now in place, hence no relief can be granted to the Petitioners in the above Petition.

3 However, it would be open for the Petitioners to approach the liquidation committee with their claim which they had made by their said letter 12-6-2012. If any such letter / representation is received from the Petitioners, the liquidation committee may consider the same in terms of the scheme that is applicable and in accordance with law. We do not express any opinion as regards the Petitioners' entitlement. It is expected of the liquidation committee that on receipt of such letter / representation from the Petitioners, the same is considered expeditiously.

4 With the observations as aforesaid, the Writ Petition is disposed of.

[SARANG V KOTWAL, J]

[R.M.SAVANT, J]