

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

**WRIT PETITION NO. 10327 OF 2016
WITH CA/4142/2017 IN WP/10327/2016**

**M/S PANDE CARGO MOVERS PVT LTD THROUGH ITS AUTHORIZED
DIRECTORS H P R PANDE AND ANR.
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.A.S. Bajaj, Advocate for the petitioners.
Mr.N.T. Bhagat, AGP for respondent/State.
Mr.B.A. Dhengle, Advocate for respondent No.2.

**CORAM : S.V.GANGAPURWALA &
S.M.GAVHANE, JJ.
DATED : 04.10.2018**

P.C. :-

1. Leave to add the Commissioner of Co-operation as party respondent. Learned AGP waives notice for the respondent – the Commissioner of Co-operation.

2. Mr. Bajaj, learned Counsel submits that the respondents are not affording benefit of One Time Settlement (OTS). According to the petitioner, as per OTS Scheme, the petitioner is liable to pay Rs. 8,16,035/-, whereas as per the respondent/bank, they are claiming an amount of more than Rs.45 lakhs. Same is not

as per the OTS Scheme.

3. We have also heard Mr.Dhengle, learned Counsel for the bank.

4. It is between the parties to arrive at OTS. The OTS Schemes are normally introduced by the Reserve Bank of India. The respondent is co-operative bank. In-case of the co-operative banks, the Commissioner of Co-operation would be the competent authority to consider the grievance of the petitioner with regard to the OTS.

5. In the light of above, Mr. Bajaj learned Counsel submits that the petitioner would submit proposal of the OTS with the Commissioner of Co-operation.

6. In-case, such proposal is submitted, the Commissioner of Co-operation shall take decision with regard to the OTS after hearing the petitioner and the respondent-bank. The decision shall be taken

expeditiously, preferably within three months from the date of the proposal. In-case the parties are aggrieved by any order passed by the Commissioner of Co-operation, they are at liberty to take appropriate steps.

7. With these observations, the writ petition is disposed of. No costs.

8. In view of disposal of writ petition, connected civil application stands disposed of.

[S.M.GAVHANE, J.]

[S.V.GANGAPURWALA, J.]