

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO.980 OF 2018

- 1) Ajinath s/o Ganpat Gade,
Age-68 years, Occu:Agri.,
R/o-Kumbhephal, Tq-Ashti,
Dist-Beed,
- 2) Rukminbai w/o Ajinath Gade,
Age-65, Occu:Agri.,
R/o-As Above.

...PETITIONERS

VERSUS

- 1) The State of Maharashtra,
Through its Principal Secretary,
Co-operation and Textile Department,
Mantralaya, Mumbai,
- 2) The District Deputy Registrar,
Co-operative Societies, Beed,
Dist-Beed,
- 3) The Manager,
The District Central Co-operative
Bank Ltd., Beed, Rajuri Ves,
Beed, Dist-Beed.

...RESPONDENTS

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Mr.M.S. Karad Advocate for Petitioners.
Mr.S.S. Dande, A.G.P. for Respondent No.1.

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**CORAM: S.S. SHINDE AND
S.M. GAVHANE, JJ.**

DATE : 24TH JANUARY, 2018

ORDER :

1. Heard learned counsel appearing for the Petitioners and learned A.G.P. appearing for State. By this Petition filed under Article 226 of the Constitution of India, the Petitioners have sought directions to Respondent No.3 - District Central Co-operative Bank Ltd., Beed to refund the amount under the fixed deposit and from saving account receivable by the Petitioners with interest within stipulated time.

2. In the similar fact situation, the Division Bench of this Court (CORAM: R.M. BORDE & SMT. VIBHA KANKANWADI, JJ.) in Writ Petition No.11605 of 2017(Babasaheb s/o Changdeo Kumkhale and others vs. The State of Maharashtra and others) and other connected Petitions, on 30th November, 2017 passed following order:

"1 It is noticed that inspite of issuance of directions to Respondent Bank

to disburse the amount to the depositors within specific time frame, the depositors are approaching this Court time and again. In fact, it is necessary for the depositors to approach the District Deputy Registrar, Cooperative Societies, Beed, for redressal of their grievance, since the District Deputy Registrar, Cooperative Societies, Beed, has been directed to supervise functions of the Bank and more specifically the function as regards refund of amount to the depositors by the bank, in compliance with the directions issued by this Court.

2 In the circumstances, no more directions need be issued in the instant petition since appropriate directions have already been issued to the bank as well as District Deputy Registrar, Cooperative Societies, Beed, while disposing of Writ Petition No.3596 of 2016.

3 It is further made clear that any of the depositors, before approaching this Court for redressal of their grievance in respect of failure of the bank to disburse the amount deposited by them either in the Fixed Deposit or in Savings Bank Account, shall first approach the

District Deputy Registrar, Cooperative Societies, Beed, with appropriate application. If the District Deputy Registrar, Cooperative Societies, Beed, receives any complaint/application from any of the depositors, it is obligatory on the part of the District Deputy Registrar to issue necessary instructions to the bank and ensure compliance of earlier directions issued by this Court in Writ Petition No.3596 of 2016. Any writ petition, without first approaching the District Deputy Registrar, Cooperative Societies, Beed, will not be entertained in future.

4. With the directions as above, instant Petitions are disposed of."

3. Taking the same view and for the same reasons as stated in the order dated 30th November, 2017 passed in Writ Petition No.11605 of 2017 and other connected Writ Petitions, referred above, this Petition also stands disposed of.

[S.M. GAVHANE, J.]

[S.S. SHINDE, J.]