

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.1460 OF 2014

Dombivali Nagari Sahakari Bank Ltd.	.. Petitioner
Vs.	
Jaywant Ganpatrao Laykar & Ors.	.. Respondents

Mr.Ashutosh Gole for the petitioner.

Mr.Tejpall Ingale for the respondent nos.1 & 2.

Ms.Kavita Solunke, AGP for the respondent nos.3, 5 & 6.

CORAM : R.D. DHANUKA, J.

DATE : 26th June 2018

P.C.:

. By consent of the petitioner and the respondent nos.1 and 2,
the following order is passed :-

(i) The impugned order dated 5th December 2012 passed by the learned Minister in Appeal No.572 of 2012 is quashed and set aside.

(ii) Appeal No.572 of 2012 is restored to file before the learned Minister i.e. respondent no.6 for deciding the matter afresh and in accordance with law.

(iii) The respondent nos.1 and 2 are directed to implead the petitioner as party respondent in the said appeal before the learned Minister within two weeks from today and shall serve papers and proceedings of the said appeal upon the petitioner within one week from the date of carrying out amendment.

(iv) Rejoinder, if any, shall be filed by the respondent nos.1 and 2 within four weeks from the date of service of papers and proceedings of the appeal and a copy thereof shall be served upon the respondents' advocate simultaneously.

(v) The petitioner shall decide the said appeal on its own merits and without being influenced by the observations made and the conclusions drawn in the impugned order dated 5th December 2012 expeditiously and not later than six months from the date of first meeting.

(vi) The petitioner shall not take any coercive steps against the respondent nos.1 and 2 based on the enquiry report for a period of eight weeks from today. The respondent nos.1 and 2 would be at liberty to apply for continuation of the ad-interim relief granted by this Court. The petitioner would be at liberty to oppose the said application for continuation of the ad-interim relief.

(vii) Writ petition is disposed of in aforesaid terms. No order as to costs.

(viii) Parties to act on the authenticated copy of this order.

R.D. DHANUKA, J.