

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6697 OF 2015
WITH
WRIT PETITION NO.6698 OF 2015

...
Mrs. Saraswatibai Poshetti Annaldas

....Petitioner

V/S

Liquidator, Solapur Zilla Audyogik

Sah. Bank Niyamit, Solapur & Ors.

....Respondents

...
Mr. Surel S. Shah for the Petitioner.

Mr. A.I. Patel, Additional G.P. a/w Ms. Jyoti P. Jadhav, AGP for Respondent Nos.2 to 4/State.

Mr. Shriniwas Poshetti Annaldas son of the Petitioner Mrs. Saraswatibai is present in Court.

**CORAM : A.A. SAYED &
M.S. KARNIK, JJ.**

DATE : 07 AUGUST 2018.

ORDER:

1 Learned Counsel for the Petitioner in both the Petitions states that the Petitioner shall apply under the OTS scheme after the Respondent No.1- Liquidator furnishes the Statements of Account in respect of the amount payable by the Petitioner in terms of the orders passed by the Co-operative Appellate Court, Mumbai, Pune Bench. Learned Counsel of the Petitioner states that he has instructions from the son of the Petitioner to withdraw the Petitions in the event directions are issued to consider the proposal of the Petitioner for OTS in accordance with law.

2 In the circumstances, we pass the following order:

ORDER

a) Within 15 days from today, the Respondent No.1-Liquidator is directed to furnish the Statements of Account to the Petitioner (including the adjustment of 50% of the amount payable/paid by the Government, if any) in terms of the two orders passed by the Co-operative Appellate Court, Mumbai, Pune Bench, viz - (i) order dated 5 November 2008 whereby the Petitioner is directed to pay a sum of Rs.6,05,850/- alongwith interest at the rate of 12.5% on Rs.3,00,000/- from 1 July 1996 till realisation (Appeal No.10 of 2007) and (ii) the order dated 5 November 2008 whereby the Petitioner is directed to pay a sum of Rs.3,37,549/- alongwith interest at the rate of 12.5% from 1 April 1996 till realisation (Appeal No.9 of 2007).

b) Within 15 days after receipt of the Statements of Account, the Petitioner to apply under the OTS scheme.

c) If the Petitioner applies within 15 days and the proposal of the Petitioner is accepted under the OTS scheme, the same shall be communicated to the Petitioner alongwith the schedule of payments within 15 days from the date of receipt of Application of the Petitioner.

It is expected of the Petitioner to adhere to the schedule of payments required to be made under the OTS scheme, if accepted.

3 With the aforesaid directions, both the Petitions to stand disposed of as withdrawn.

(M.S. KARNIK, J.)

(A.A. SAYED, J.)

katkam

Sudarshan
Rajalingam
Katkam

Digitally signed by
Sudarshan
Rajalingam
Katkam
Date: 2018.08.09
11:30:11 +0530