

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAW] No. 864 of 2018
IN
Writ Petition No. 7252 of 2016
[Rajendra Babarao Patil & others Vs. State of Mah. & others]

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. A.S. Sonare, Adv., for the applicants.
Mr. Dhumale, AGPfor respondent nos. 1 to 4.

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CORAM : A. S. CHANDURKAR, J.

DATE : 25th April, 2018

By this application, it is prayed that the respondent no.5 through its President be directed to deposit the sale consideration received by the Society on account of sale of Field Survey Nos. 433/1 and 433-1-A in the account of the Society. According to the petitioners who are the members of Shivaji Grihanirman Co-operative Society Ltd., Warud, the President of the respondent no.5-Society entered into the transaction for selling the property of the Society for a consideration of Rs.50,00,000-00 and after receiving that amount, the said President failed to deposit that amount in the account of the Society. For that purpose reliance is placed on the communication dated 13th January, 2017 issued by the Asstt. Registrar to the Distt. Deputy Registrar in which it has been stated that the amount of sale proceeds were not deposited in the account of the

Society.

Copy of this Civil Application was served on the counsel for the respondent no.5 on 26th March, 2018. On 16th April, 2018, as there was no appearance on behalf of the respondent no.5, the consideration of this Civil Application was adjourned and the matter was kept today. Today also, there is no appearance on behalf of respondent no.5.

Considering contents of the communication dated 13th January, 2017, the respondent no.5 through its President is directed to deposit the amount of sale proceeds that have been received by the President while selling Field Survey Nos. 433/1 and 433/1-A in the account maintained by the Society being Account No. 60/5236. The same be done within a period of six weeks from today.

Put up for further consideration on 15th June, 2018.

Petitioners to communicate this order to the respondent no.5 by Registered Post Acknowledgement Due.

Judge