

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

MISC. CIVIL APPLICATION NO. 248/2018

IN

WRIT PETITION NO. 2339/2017

The Nagpur Mahila Nagri Sahakari Bank Limited

..VS..

Smita Narhari Khode

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

Court's or Judge's orders

Shri A.D. Mohgaonkar, Advocate for the applicant

Shri A.J. Pathak, Adv h/f Shri V.R. Thakur, Adv for the non-applicant

CORAM : Z.A.HAQ, J.

DATED : 10/09/2018

Heard.

By this application, the original respondent/Bank (Co-operative Society) prays that the order passed by this Court on 29/11/2017 directing the bank to deposit Rs. 18,00,000/- with the Registry of this Court be recalled. The contention on behalf of the Bank is that liquidator is appointed on the Bank and it is not permissible for it to deal with any amount except with prior permission of the Deposit Insurance And Credit Guarantee Corporation (DICGC). It is further submitted that the proposal for deposit of Rs. 18,00,000/- as per the order passed by this Court on 29/11/2017 is already sent to DICGC however, the Bank has not received any reply from DICGC in the matter. It is submitted that the original petitioner has been paid all the amount receivable by her as per the order passed by the Industrial Court and if the petitioner succeeds in this petition, she will be paid the amount as would be determined, within

reasonable time.

It appears that the Bank was directed to deposit the amount of Rs. 18,00,000/- after hearing the learned advocates representing the respective parties and perhaps in view of the fact that the co-operative Bank is under liquidation, I do not find any error apparent on the face of record which necessitates review of the order dated 29/11/2017.

The miscellaneous civil application is dismissed.
No costs.

JUDGE

Ansari