

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURWA No. 39 of 2018

- Zila Sahakari Kendriya Bank Maryadit, Raigarh Bearing Registration No. 9 Dated. 21-03-1949 Having Its Office At Gandhi Pratima Chowk, Raigarh, Tahsil And District Raigarh, Chhattisgarh. Through The Official Liquidator Being The Collector Raigarh, Chhattisgarh. ----- **Appellant**

Versus

1. Karunakar Pradhan, S/o Shri Dewadhi Padhan, Aged About 44 Years, Ex-Samiti Prabandhak, Adim Jati Sewa Sahakari Samiti Maryadit Jobi, R/o Village Loing, Tahsil And District Raigarh Chhattisgarh.
2. Registrar, Co-Operative Societies, Chhattisgarh, Labhandi, Raipur Chhattisgarh.
3. Joint Registrar, Co-Operative Societies, In the Office Of the Registrar, Co-Op. Societies, Chhattisgarh, Labhandi, Raipur Chhattisgarh. ----- **Respondents**

For Appellant	:-	Shri Ashish Shrivastava & Shri Animesh Verma, Advocate.
For Respondent No.1	:-	Ms. Hamida Siddqui, Advocate.
For Respondent/State	:-	Shri Siddharth Dubey, Dy. G.A.

Hon'ble Shri Prashant Kumar Mishra, Ag.CJHon'ble Shri Parth Prateem Sahu,J.
Judgment On BoardByPrashant Kumar Mishra, Ag. CJ

01/04/2019

1. Shri Ashish Shrivastava, learned counsel for the appellant/Bank, would submit that the dues admissible to the respondent No.1 was offered to him by way of cheque dated 29.03.2019, however, the respondent refused to accept the cheque. He would present before this Court, a copy of the cheque.
2. Respondent's counsel would submit, on instructions from the respondent, who is present in Court, that he is willing to accept the cheque under protest.
3. Let the cheque be handed over to the respondent within a week.
4. Respondent would accept the cheque under protest as a separate Writ Petition bearing WPS No.6479 of 2018 for payment of dues is pending before the Single Bench. Acceptance of cheque under protest would not come in petitioner's way while prosecuting the pending Writ Petition.
5. In view of the above, the Writ Appeal stands disposed of.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge

Ayushi