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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3906 OF 2019

Altaf Haidarbhai Sayyad

..Petitioner.

V/s.

The Asstt. Registrar,
Co-operative Societies,
Purandar & Ors.

..Respondents.

Mr.Shantanu S.Raktaye with Amar Parsdekar for the petitioner.

Mr.P.P.Pujari, AGP for respondent Nos.1 to 4.

CORAM: NITIN W.SAMBRE, J.

DATE : JUNE 11, 2019

P.C.:-

The petitioner is personally present in the Court and on his instructions, learned counsel for the petitioner makes a categorical statement that the petitioner shall maintain a minimum balance of Rs.4,00,000/- (Rupees four lakhs) in Savings Bank Account No. 5250 with Muslim Co-op Bank Ltd., Baramati Branch till his appeal by the authority is finally decided.

2. Since the statement is made on instructions, the same

is accepted as an undertaking.

3. The petitioner shall produce a certificate issued by the bankers about deposit of Rs.4,00,000/- (Rupees four lakhs) before the Divisional Joint Registrar, Co-operative Societies, Pune in the appeal which is pending at the behest of the petitioner against the order of recovery passed under section 88 of the Co-operative Societies Act.

4. Upon production of such certificate, it is expected of the Divisional Joint Registrar, Co-operative Societies, Pune to decide the said appeal of the petitioner as expeditiously as possible and in any case within a period of three months from the date of the first appearance of the petitioner. The petitioner undertakes to appear before the said authority on July 1, 2019.

5. Till then, it is ordered that no coercive action be taken against the petitioner as he has undertaken to maintain a balance of Rs.4,00,000/- (Rupees four lakhs) in his Saving Banks Account No.5250 with Muslim Co-op Bank Ltd., Bramati Branch towards the liability which will be saddled against him. There shall be stay to the order impugned dated January 29, 2019 passed by the authority under section 156 of the Maharashtra Co-operative

Societies Rules and 107 of the Maharashtra Co-operative Societies Act, whereby the account of the petitioner maintained with the Muslim Co-operative Bank, Baramati is ordered to be sealed till the disposal of said appeal.

6. With the aforesaid observations, the petition stands disposed of.

(NITIN W.SAMBRE, J.)