

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

CIVIL APPLICATION (CAO) NO.485/2019
IN
MISCELLANEOUS CIVIL APPLICATION (REVIEW) NO.1171/2017

IN
WRIT PETITION 916/2016 (D)

Vijay S/o Tryambak Ingle
..Vs..
Rambhau S/o Ukarda Dhage and others

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

Court's or Judge's orders

Shri M.V. Samarth, Advocate for the applicant / original respondent No.3.
Shri Arjun Hari Patil, Advocate for respondent No.1.
Shri T.A. Mirza, A.G.P. for respondent No.2.
Shri F.T. Mirza, Advocate for respondent No.3.

CORAM : Z.A. HAQ, J.

DATE : 15.3.2019.

After arguing for sometime, Shri M.V. Samarth, learned Advocate for the original respondent No.3 - Vijay Tryambak Ingle submitted that prayer clause (a) of the civil application is not pressed and the original respondent No.3 will take appropriate proceedings for redressal of grievance as made in prayer clause (a). Prayer clause (a) of the civil application is dismissed as not pressed with liberty as sought.

As far as the prayer clause (b) of the civil application is concerned, as an enquiry is already initiated against Shri G.Y. Khillari and Shri G.P. Sable and as according to the respondent No.3 the alleged misappropriation of Rs.9,40,000/- is during the same

period when these officers were in-charge, the Divisional Joint Registrar is directed to examine the grievance made by the original respondent No.3 in this civil application and take appropriate action in the matter.

As far as the prayer clause (c) is concerned, it is pointed out in the additional affidavit filed by Shri Satish Kisanlal Soni, Commissioner for Cooperation and Registrar, Cooperative Societies, Maharashtra State, Pune that Shri G.Y. Khillari has deposited an amount of Rs.17,58,375/- with Bhagyodaya Cooperative Society, Khamgaon. The Assistant Registrar, Cooperative Societies, Khamgaon is directed to ensure that the amount of Rs.17,58,375/- shall be deposited with the Registry of this Court till 30th March, 2019.

Shri F.T. Mirza, learned Advocate has submitted that as Shri G.Y. Khillari has deposited the amount, the directions given by the order dated 1st March, 2019 to the Registrar, Cooperative Societies to deposit Rs.12,00,000/- with the Registry of this Court be recalled. The prayer made by learned Advocate is justified in the facts of the case, therefore, the same is granted accordingly.

C.A.O. NO.457/2019

As the amount is deposited by Shri G.Y. Khillari, this civil application seeking extension of time to deposit the amount has become infructuous. The civil application is **disposed** accordingly. No costs.

C.A.O. NO.251/2019

In view of the order passed on Civil Application (CAO) No.485/2019 and as the amount is deposited, this application seeking directions to Shri G.Y. Khillari to deposit the amount has become infructuous. It is **disposed** accordingly. No costs.

MISCELLANEOUS CIVIL APPLICATION (REVIEW)
NO.1171/2017

List the matter for further consideration on
14th June, 2019.

JUDGE