

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**905 CIVIL APPLICATION NO.2748 OF 2021
IN WP/11551/2019 WITH WP 11551/2019**

**THE MUNICIPAL COUNCIL THROUGH CHIEF OFFICER
VERSUS
THE COMMISSIONER FOR CO-OPERATION AND REGISTRAR CO-
OPERATIVE SOCIETIES MAHARASHTRA STATE AND OTHERS**

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Advocate for Applicant : Mr. Bhavthankar Vivek Vasantrao
AGP for Respondents/State : Mr. Y.G. Gujrathi.
Advocate for Respondent Nos. 3 & 4 : Mr. V.P. Golekar h/f Mr. A.R. Joshi.
Advocate for Respondent no. 5 : Mr. A.D. Rakh.

CORAM : MANGESH S. PATIL, J.
DATE : 26.11.2021.

PER COURT :

The petitioner Municipal Council is aggrieved by the order of the Special Recovery Officer by which the State Bank of India was directed to freeze its account in view of the outstanding dues. By the order dated 21.09.2019, the Bank was directed to ensure that an amount of Rs. 75,00,000/- (Rs. Seventy Five Lakh only) is secured and preserved and the petitioner Municipal Council was permitted to operate the account for the remaining amount.

2. The parties, that is, the Municipal Council and the respondent Co-Operative Bank have now agreed to settle the dispute in view of the scheme for one time settlement. They are unanimous that the dispute would be closed if the Municipal Council pays an amount of Rs. 41,00,000/- (Fourty one lakh only) as one time measure. They are also unanimous that the State Bank of India, branch Parali (Vajjnath) be directed to release/transfer an amount of Rs. 41,00,000/- (Rs. Fourty one lakh only) in the loan

account as mentioned in paragraph No. 2 of the reply filed by the Co-Operative Bank (page No. 12).

3. In view of the above, the State Bank of India, Branch Parali (Vaijnath) shall now transfer an amount of Rs. 41,00,000/- (Rs. Fourty One Lakh only) to the Vaidyanath Urban Co-Operative Bank Ltd. Branch Parali (Vaijnath) and on such transfer being made the petitioner-Municipal Council shall be allowed to operate its account.

4. The Writ Petition and Civil Application are disposed of accordingly.

(MANGESH S. PATIL, J.)

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