

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
WRIT PETITION NO.2177 OF 2021**

Shahed Abdul Rauf Kamal and Ors. ... Petitioners  
*Versus*  
Bank of Baroda and Ors. ... Respondents

Mr. Ajay Panicker with Mr. Akshay Patil i/by Ajay Law Associates, for Petitioners.  
Mr. Udaya Kumar S. Nadar i/by Anup Khaitan and Co., for Respondent No.1.  
Ms. Geeta Shastri, Addl. Govt. Pleader, for State.

**CORAM: S.J. KATHAWALLA &  
MILIND N. JADHAV, JJ.**

**DATE: 13<sup>th</sup> OCTOBER, 2021**

**P.C.:**

1. Heard the learned Advocates for the parties.
2. The grievance of the Petitioners is that since their society is not registered and is till date a 'proposed society', the Respondent No.1 Bank has asked them to close the savings account.
3. The learned Advocate for the Respondent No.1 Bank states that the stand taken by the Respondent No.1 is as per the guidelines of the Reserve Bank of India and that Respondent No.1 has no objection if pending the registration of the proposed society under the Societies Registration Act, 1860 or under Rule 24(9/1) of the Maharashtra State Co-op. Societies Act, 1961, the Petitioners' open a current account with them in the name of the proposed society.

4. We need not delve any further qua the subject issue since the learned Advocate for the Petitioners states that pending registration of their society, they will be opening a current account in the name of the proposed society with the Respondent No.1. The above statements made by the learned Advocates for the Respondent No.1 Bank as well as the Petitioners are accepted. The Respondent No.1 shall allow the Petitioners to continue with the savings account for a further period of 15 days, by which time the Petitioners / proposed society shall open a current account with Respondent No.1 and transfer their funds to the said current account from the present savings account.

5. The Divisional Joint Registrar of Co-operative Societies, K/West Ward, Mumbai, shall decide Appeal No.193 of 2017 pertaining to the registration of the Society within a period of 8 weeks from today strictly on merits and in accordance with law.

6. The Writ Petition is accordingly disposed of.

**( MILIND N. JADHAV, J.)**

**( S.J.KATHAWALLA, J. )**