

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3117 OF 2022**

Ashok Bajirao Khade

...Petitioner

Versus

State of Maharashtra through its Department of ...Respondents
Cooperation & Ors

Mr Ramesh R Badi, *for the Petitioner.*

Mr Abhinandan B Vagyani, *with Pankaj K Kandhari, i/b Deepa
Vagyani, for Respondent No. 4.*

Mr KS Thorat, AGP, *for Respondent-State.*

**CORAM G.S. Patel &
 Madhav J. Jamdar, JJ.**

DATED: 23rd March 2022

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1. The Petitioner through its Advocate candidly admits that Petitioner is not personally affected by the used of the word 'bank' in the name of the 4th Respondent. There is no infringement of the Petitioner's constitutional legal right. No legal right or constitutional duty is shown as being owned to the Petitioner.

2. There is no possibility of the Petitioner demanding a writ of mandamus or any other high prerogative remedy.

3. We are quite unsure as to what is the locus or the status of the Petitioner to make any such grievance before a Court. He says he is a member. That in itself will not give him locus.

4. The reliance is placed on 22nd November 2021 press release of the Reserve Bank of India to submit that there is an absolute prohibition on Co-operative Societies from using the words *bank*, *banker*, or *banking* as part of their names under the Banking Regulation Act 1949. This is incorrect. The press release warns members of the public that these societies, while they may be using the word 'bank', are not licensed banking companies under the Banking Regulation Act nor are they authorized by the Reserve Bank of India for banking business. What the Petitioner wholly misses is the ending lines of the first paragraph of the press release which says the society may use these words as permitted by the Reserve Bank of India or under the Banking Regulation Act. Thus, there is no absolute bar or ban on use of the word "Bank" by the 4th Respondent society. The argument is entirely misconceived.

5. The Petition is entirely devoid of substance. It is rejected. No costs.

(Madhav J. Jamdar, J)

(G. S. Patel, J)