

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

WRIT PETITION NO. 5237/2022

(SHEIKH YAKUB SHEIKH MAHBOOB & ANOTHER **VERSUS** STATE OF MAHARASHTRA & ANOTHER)

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

Court's or Judge's order

Shri R.K. Thakkar, counsel for the petitioners.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : AUGUST 29, 2022.

According to the petitioners, they had established a school and the Secretary of the Society which formed the same had obtained financial assistance from the respondent no.2-Society. In the academic years 2020-21 and 2021-22 no admission of students could be undertaken and hence the loan amount could not be repaid. The Society has thus initiated proceedings under Section 101 of the Maharashtra Cooperative Societies Act, 1960. The petitioners pray that the Society be directed to grant them time of one year to pay the outstanding loan amount.

We find that the petitioners have not made any such request to the respondent no.2-Society. It would be necessary for the petitioners to first approach the respondent no.2-Society with that request and if the same is not accepted then the petitioners would be free to take further legal steps.

In that view of the matter, the petitioners are at liberty to approach respondent no.2-Society with request to grant time to pay the outstanding loan amount. If such application is made by the petitioners, the respondent no.2-Society is free to consider the same in accordance with law. The writ petition is disposed of. No costs.

(URMILA JOSHI-PHALKE, J.)

(A. S. CHANDURKAR, J.)

APTE

Signed By: Digitally signed
by ROHIT DATTATRAYA
APTE
Signing Date: 30.08.2022 19:37