

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

WRIT PETITION NO.10851 OF 2023

**BABASAHEB KASHINATH KARALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH CHIEF
SECRETARY AND OTHERS**

...
Advocate for the Petitioner : Shri D.R. Jaybhar i/by Shri
Jayabhar Shubham D.
AGP for Respondents 1 to 3/State : Shri P.S. Patil
...

**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 01st November, 2023

Per Court :-

1. Respondent Nos.4 and 5 are the private Cooperative Bank authorities. The issue is as regards the loan transaction between the Petitioner borrower and the Bank. The mortgaged property has already been put up for auction sale. The loan amount recoverable is around Rs.1,24,57,500/-.

2. A simple letter written by Respondent No.3 to the Bank showing concern about the present Petitioner, would not mean that Respondent No.3 has a role to play in this matter. The issue is purely between the Petitioner and the Bank.

3. We have also perused the One Time Settlement (OTS) proposal of the Petitioner, which is as vague as it could be. Apparently, there is no urge to repay the amount.

4. In these circumstances and in view of Article 12 of the Constitution of India, we are not entertaining this Writ Petition. **The same is, therefore, disposed off.**

5. In the event the Petitioner avails of any statutory remedy, the disposal of this petition would not be an impediment.

kps (Y. G. KHOBRADE, J.) (RAVINDRA V. GHUGE, J.)