

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.14444 OF 2021

ACHYUT SADASHIV PINGLE
VERSUS
THE CENTRAL REGISTRAR AND OTHERS

...

Advocate for the Petitioner : Shri Gholap Ajit M.
DSGI for Respondents 1 and 2/UoI : Shri A.G. Talhar

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CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.

DATE :- 06th February, 2023

Per Court :-

1. The petitioner has put forth prayer clauses B and C
as under:-

- “B) *By issue of appropriate writ or order or direction in the nature of writ the Res.No.1 and 2 may kindly be directed to comply and complete the action as per the directions of the Res.No.3 annexed as Exh.B within a specific period of 3 months from the date of passing of the orders by this Hon’ble High Court in that behalf.*
- C) *The Res.No.3 may kindly be directed to supervise the action taken by the Res.No.1 and 2 in pursuance of any order passed by this Hon’ble High Court in terms of prayer clause A and B above.”*

2. Despite service of court notice, none has caused an

appearance on behalf of respondent No.3/Reserve Bank of India.

3. Since this petition lies in a narrow compass, we are passing a short order based on the record placed before us.

4. On 15.09.2020, the Deputy General Manager of the Reserve Bank of India directed respondent No.1 herein to deal with the Board of Directors of the Nagar Urban Cooperative Bank Limited, Ahmednagar, for specific violations committed by the erstwhile Board of Directors, inclusive of the ex-chairman of the Bank. It was specifically instructed to respondent No.1 in paragraph 4 of the said communication that he should not only initiate the process of debarring the erstwhile Board of Directors/officers, but they should also be debarred from contesting the elections of the said Bank and also initiate appropriate legal action. It cannot be disputed that respondent No.1 issued the show cause notice on 25.01.2021 to the members of the Board of Directors. It is undisputed that thereafter, there has been no followup action and respondent No.1 has completely slept over the issue.

5. In view of the above, this Writ Petition is disposed off with the following directions :-

(a) We direct respondent No.1 to complete the

procedure in terms of the order dated 15.09.2020 issued by respondent No.3, for which he has already issued the show cause notices, on or before 05.04.2023 (60 days from today).

(b) After the action is complete, the action taken report/ compliance report shall be tendered by respondent No.1 to respondent No.3/RBI as well as to the learned Registrar (Judicial) of this Court. Such report should reach respondent No.3 and this Court, on or before 21.04.2023.

(c) Needless to state, the procedure as prescribed in law shall be followed by respondent No.1, without causing any delay, failing which, action may be initiated against respondent No.1.

kps

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE, J.)