

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 648 OF 2023
IN
WRIT PETITION NO. 1355 OF 2023

Dinesh A Kamble	...Applicant
<i>In the matter between</i>	
Dinesh A Kamble	...Petitioner
<i>Versus</i>	
Visible chits (Maharashtra) Pvt Ltd & Anr	...Respondents

**Mr Mahaling Pandarge, with Sushrita Daga, for the Applicant/
Petitioner.**

**Ms Jeenal Upadhyay, with Aditya Upadhyay, for Respondent No. 1
Mrs AA Purav, AGP, for the Respondent-State.**

**CORAM G.S. Patel &
 Dr Neela Gokhale, JJ.**
DATED: 2nd February 2023

SHEPHALI
SANJAY
MORMARE

Digitally signed
by SHEPHALI
SANJAY
MORMARE
Date: 2023.02.06
13:09:37 +0530

PC:-

1. The Petitioner and the 1st Respondent had an agreement of 26th November 2011. The Petitioner was allotted a Chit Membership. There were disputes that ultimately went to arbitration. The arbitral award today stands in excess of nearly Rs. 6.70 lakhs. The order is of 24th January 2019 and the Petitioner has moved in an Appeal of 20th March 2019 before the Minister. A copy

of that Appeal is at page 47 of the Paperbook. The reason for this Petition being filed in 2023 is evident as the award has now been put into execution. Indeed, we are told that there were attempts for settlement. The Petitioner issued cheques which were dishonoured on presentation.

2. Now the demand is for a direction from us to the Minister to expeditiously hear the appeal in a time-bound manner.

3. But the Petitioner is unwilling to make a deposit of a single rupee immediately. He asks time of several months to make the deposit. That is unreasonable.

4. We see no reason to exercise our equitable discretion under Article 226 of the Constitution of India. The Petition is rejected.

5. In view of this, the Interim Application does not survive and is disposed of accordingly.

(Dr Neela Gokhale, J)

(G. S. Patel, J)