

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8379 OF 2019

Sambhaji Bharat Jagtap & Ors. .. Petitioners
Vs.
Rupee Co-operative Bank Ltd. & Ors. .. Respondents

**WITH
INTERIM APPLICATION NO.18311 OF 2022
WITH
INTERIM APPLICATION NO.18309 OF 2022**

Sneha Padwal .. Petitioner
Vs.
Rupee Co-operative Bank Ltd. & Ors. .. Respondents

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Mr. Prasad B. Kulkarni for the Petitioners.
Mr. Pratap Patil for Respondent Nos.1 & 2- Rupee Bank.
Mr. Prasad Shenoy a/w Ms. Aditi Phatak, Mr. Vijay Salokhe i/by
BLAC Co.-RBI.
Mr.R.P. Kadam, AGP for Respondent-State.

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**CORAM : A.S. CHANDURKAR &
FIRDOSH P. POONIWALLA, JJ**

DATE : 19TH DECEMBER, 2023.

P.C. :

1. The learned counsel appearing for the Respondent Nos.1 and 2 submits that the Liquidator has been appointed on the Respondent No.1-Bank on 31/10/2022. The Liquidator has thereafter taken charge of the affairs of the bank on 01/11/2022. Hence, it is submitted that the prayers made in the Writ Petition would not survive.

2. The learned counsel for the Petitioner submits that the Petitioners have to recover various amounts that have been

deposited with the Bank. He therefore submits that such claims cannot be defeated by virtue of appointment of the Liquidator.

3. Since a Liquidator has now been appointed on the Respondent No.1-bank, it would be necessary for the Petitioner to move the Liquidator to seek recovery of the amounts due to them. For that reason, it is not necessary to keep the present proceedings pending. The Writ Petition is thus disposed of.

4. The Petitioners are at liberty to move the Liquidator for raising claim for the amounts due to them. If such claims are made, the same shall be considered in accordance with law expeditiously by the Liquidator.

6. Pending Interim Applications are also disposed of.

[FIRDOSH P. POONIWALLA, J] [A.S. CHANDURKAR, J.]