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Date: 2023.11.09
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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.13955 OF 2023

M/s Midas Construction & Ors. ...Petitioners

V/s.

The C.K.P. Co-operative Bank Ltd. ...Respondents
& Ors.

Mr. Harinder Toor i/by Mr. Subhash G. Bane with
Ms. Ankita H. Shukla for Petitioners.

Mr. D.S. Hatle a/w Deepak Jamsandekar for
Respondents.

CORAM: MADHAV J. JAMDAR, J.
DATE: 8th November 2023

P.C.:

1. Heard Mr. Toor, learned Counsel appearing for the
Petitioners and Mr. Hatle, learned Counsel appearing for the
Respondents.

2. By the present Writ Petition, the challenge is to the legality
and validity of the order dated 21st September 2023 passed
below Exhibit 5 in Dispute No. CC/III/346/2023 by the learned
Judge, Co-operative Court No. 3, Mumbai as well as order dated
26th October 2023 passed by the learned President,
Maharashtra State Co-operative Appellate Court, Mumbai in A.O.
No. 69 of 2023.

3. The learned Judge of the Co-operative Court has rejected Exhibit 5 application and said order has been confirmed by the learned Appellate Court.

4. The Petitioner has filed dispute *inter alia* seeking that the Respondents be directed to implement circular regarding O.T.S. scheme. Thus, admittedly, there are arrears and according to the Respondent-Bank, the arrears are to the tune of Rs.10.00 Crores. Therefore, no interference is warranted under the Writ jurisdiction of this Court under Article 227 of Constitution of India.

5. Accordingly, the Writ Petition is dismissed, however, with no order as to costs.

(MADHAV J. JAMDAR, J.)