



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

902 WRIT PETITION NO. 1026 OF 2022

Aurangabad Jalna Zilla Sahakari Krushi
Gramin Bahuuddeshiya Vikas Bank Ltd.Petitioner

VERSUS

The State of Maharashtra & OthersRespondents

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Mr. N. D. Sonavane, Advocate for the Petitioner.

Mr. V. B. Kale, Advocate for Respondent No. 2.

Mr. S. R. Deshpande, Advocate for Respondent No. 3.

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 23rd FEBRUARY, 2024.

PER COURT :

1. The Petitioner has put forth prayer clauses 'A' and 'B' as
under :-

A) Issue a writ of mandamus or writ in the nature of
directions to the respondent no. 3 to take decision on the
proposal / application dt. 2.2.2016 submitted by
respondent no. 2 in respect of waiver of interest amount
on the loan granted to the petitioner Path sanstha.

B) Issue a writ of mandamus or writ in the nature of
direction to the respondents to adjust the share amount

of Rs. 22.50 lakhs with interest in the loan account of the petitioner pending with respondent no. 2 and to close the loan account as the entire principle amount will be paid by the petitioner as agreed by the petitioner and respondent no. 2.

2. The learned Advocate representing Respondent No. 3 submits in view of the affidavit filed, that NABARD has no role to play with regard to the issue as to whether interest should be waived by the Bank or not. This issue is within the domain of the Respondent No. 2- Bank.

3. The learned Advocate representing the Respondent No. 2 – Bank submits that a dispute has already been filed before the Co-operative Court by the Petitioner. The same has been dismissed in default and a restoration application is pending.

4. The learned Advocate for the Petitioner submits in the light of the aforesaid circumstances, this petition may be disposed off.

5. In view of the above, **this Writ Petition is disposed off.**

(R. M. JOSHI)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

dyb