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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 7754 OF 2024
IN
WRIT PETITION NO. 2176 OF 2023**

**ARUNA MAHENDRA KALA LATE MAHENDRA MADANLAL KALA AND
ANOTHER**

....Petitioner

VERSUS

**AKOLA JANATA COMMERCE COOPERATIVE BANK LIMITED AND
ANOTHER**

.....Respondent

.....

Advocate for the Petitioner : Mr. Jarare Prasad Devidas
AGP for Respondent/State: Mr. P.S. Patil,
Advocate for respondent No.1 : Mr S.B. Mane.
Advocate for respondent No.3 : Mr. A.S. Bajaj,
Advocate for respondent Nos. 4,5 and 6 : Mr. S.V. Adwant,
Advocate for respondent No.7 to 9 : Mr. S.V. Dixit.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ.
& KISHORE C. SANT, J.**

DATE : 27th August, 2024.

P.C. :-

1. Heard the learned counsel for the parties.
2. By moving this civil application, certain amendments in the pleadings have been sought to be incorporated.
3. Learned advocate for respondent Nos. 4,5 and 6 and other respondents have stated that in view of the legal position that no petition against a cooperative society lies, the amendment may not be allowed.

4. However, having regard to the facts of the case, the civil application is allowed. Let the consequential amendment be incorporated by the learned advocate for the petitioner within two days, who shall serve the amended copy of the writ petition upon the learned counsel representing the respondents within this week.

5. Respondents are permitted to file affidavits in reply within 10 days from today. A week thereafter shall be available to file the rejoinder, if any.

6. Stand over to 18 September, 2024.

7. We make it clear that it is always open to the respondents, while filing affidavit in reply, to take the pleas which may be available to them, including the plea of non-maintainability of the writ petition.

[KISHORE C. SANT J.]

[CHIEF JUSTICE]

grt/-