

Esha

**IN THE HIGH COURT OF BOMBAY AT GOA**

**CRIMINAL MISC. APPLICATION NO.11 OF 2022**

**IN**

**CRIMINAL APPEAL NO.6 OF 2022 (F)**

THE GOA STATE COOPERATIVE BANK  
LTD., THR. ITS BRANCH MANAGER, A M  
CHODANKAR

... APPLICANT

Versus

DELTA ASSOCIATES AND 2 ORS

... RESPONDENTS

Mr. S.R. Rivankar, Senior Advocate with Mr. Rama Rivankar,  
Advocate for the Applicant.

Mr. Vibhav R. Amonkar, Advocate for Respondent Nos. 1 and 2.

Mr. Pravin Faldessai, Additional Public Prosecutor for Respondent  
No. 3.

**CORAM:- AVINASH G. GHAROTE, J.**

**DATED :- 19th March, 2024**

P.C.

Heard Mr. Rivankar, learned Senior Counsel for the Applicant.

2. This Application seeks leave to appeal against the judgment dated 25.10.2021 passed by the learned JMFC acquitting Respondent No. 1 for the offence under Section 138 of the N.I. Act on the ground of absence of authority to file the complaint by the Applicant.

3. Mr. Rivankar, learned Senior Counsel for the Applicant submits, that the Complainant being a Manager of the Applicant-Society, the

complaint signed by him, on the authorization by the Managing Director of the Society, was sufficient authorization under Section 54 of the Multi-State Co-Operative Societies Act, 2002 read with the bye-laws of the Society, considering which, leave to appeal is granted, though the same is opposed by Mr. Amonkar, learned Counsel for Respondent Nos. 1 and 2. Office to register Criminal Appeal No. 6 of 2022 (F).

4. The Application stands disposed of.

**AVINASH G. GHAROTE, J.**

ESHA SAINATH  
VAIGANKAR

Digitally signed by ESHA  
SAINATH VAIGANKAR  
Date: 2024.03.19 14:46:07  
+05'30'