

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION**PRACHI
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Date: 2024.01.18
11:08:28 +0530**WRIT PETITION NO.676 OF 2024**

Avinash Vitthal Kokane & Ors.

.. Petitioners

Versus

Sant Dnyaneshwar Nagari Sahakari

Patsanstha Maryadit & Ors.

.. Respondents

Mr.Sanjiv Sawant a/w Mr.Abhishek Deshmukh and Mr.Digvijay Palande for the petitioners.

Mr.Ramakant Paranjape a/w Mr.Hemant Ghadigaonkar, Mr.Deepak T. Raut and Jaysing Bangar for respondent nos.1 & 2.

Mr.S.B. Kalel, AGP for respondent nos.3 to 6, 8 to 11 & 13.

**CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ.**

DATE : 17th January 2024

PC.:-

. Considering the nature of the directions proposed to be issued, notice on respondent nos.2, 7 and 12 is dispensed with.

2. The grievance of the petitioners is with regard to the manner in which various amounts shown to be borrowed by the petitioners from respondent no.1 society are being recovered. It is the case of the petitioners that without actually disbursing the loan amounts, a show has been made that the amounts shown to be borrowed have been credited in the accounts of the petitioners. Without actually receiving the said amounts, their accounts are treated as bad and recovery has been initiated.

3. In that regard, the petitioners have made representations to various authorities including respondent nos.3, 4 & 6. Despite such representation being made on 31st October 2023, the same has not been considered. The petitioners, therefore, pray that the concerned authorities be directed to consider the said representation in accordance with law.

4. Considering the facts of the case, the interest of justice would be served by directing respondent nos.3, 4 & 6 to consider the petitioners' representation dated 31st October 2023 that has been received by the respective respondents. The respondents shall hear the representatives of the petitioners and after verifying the records take necessary decision on the said representation. The representatives of the petitioners are permitted to appear before the respondent no.3 on 24th January 2024 at 11.00 a.m. The representatives of respondent no.1 society are also permitted to remain present.

5. The adjudication of the representation be undertaken within a period of eight weeks.

6. It is made clear that since we have not considered the contentions of the petitioners in the context of prayer clause (g), the

petitioners are free to take all permissible steps for seeking redressal of the grievances in that regard. All points in that regard are kept open.

7. The writ petition is disposed of in aforesaid terms.

JITENDRA JAIN, J.

A.S. CHANDURKAR, J.