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

WRIT PETITION NO.2506 OF 2024

Chandrakant Murlidhar Zagade & Anr. .. Petitioners
Vs.
The Government of Maharashtra & Ors. .. Respondents

...
Ms. Pallavi Bali a/w Ms. Pooja Singh i/by Nava Legal for the Petitioners.
Ms. Priyal G. Sarda a/w Mr. Shubham Sane, Ms. Seema S. Dighe for
Respondent Nos. 4 & 5.
Mr. N. C. Walimbe, Addl. GP a/w Mr. A. R. Deolekar, AGP for Respondent-
State.

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

DATE : 1st MARCH 2024.

PC. :

1. Heard. The challenge raised in the present writ petition is to the order dated 20/11/2021 passed under Rule 107 (11) of the Maharashtra Co-operative Societies Rules, 1961 (for short, the Rules of 1961).
2. Since the petitioners sought to settle the loan account, time was granted to the petitioners to file affidavit cum undertakings indicating their bonafides. In the affidavit dated 27/02/2024, it has been stated by the petitioners that on or before 15/03/2024, amount of Rs.75,00,000/- would be paid and the balance amount would be paid by 15/07/2024. The learned counsel for the Respondent No.4-Bank sought time to obtain instruction in this regard. On instructions, he submits that the Bank is not

willing to accept the undertakings submitted by the petitioners in view of the conduct of the petitioners in not abiding by their earlier commitments. We find that in these facts the Bank cannot be compelled to accept the petitioners' proposal.

3. We have examined the grounds raised in the writ petition but we do not find any ground made out to interfere in exercise of writ jurisdiction in the light of the fact that steps under Rule 107 (11) of the Rules of 1961 have been taken pursuant to the issuance of the recovery certificate.

4. The writ petition therefore stands dismissed with no order as to costs.

[JITENDRA JAIN, J]

[A.S. CHANDURKAR, J.]