

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8696 OF 2024.

WITH

WRIT PETITION NO. 8697 OF 2024.

WITH

WRIT PETITION NO. 8698 OF 2024.

WITH

WRIT PETITION NO. 8489 OF 2024.

WITH

WRIT PETITION NO. 8699 OF 2024.

Jankalyan Nagari Sahakari Patsanstha Throu. Its ...Petitioner.
Manager Sakharam S Retharekar

Versus

The State of Maharashtra Throu. Govt Pleader And ...Respondents.
Ors

Mr. Vishwajeet V Mohite a/w Mr. Vikram Kulkarni a/w Mr. Sakharam S. Retharekar for Petitioner.

Mr. Ajit J. Kenjale a/w Adv. Sohil M. Gulabani a/w Adv. Swaraj J. Bansode a/w Mr. Sai R. Kadam for Respondent Nos. 4 and 5.

Mr. Ketan Joshi, for Respondent-Auction Purchaser.

Ms. V. R. Raje, AGP for State in WP/8696/2024, WP/8697/2024, WP/8698/2024.

Mr. P. V. Nelson Rajan, AGP for State in WP/8489/2024, WP/8699/2024.

Mr. Retharekar Sakharam Shripad, Chief Officer of Petitioner-Bank

Coram : Sharmila U. Deshmukh, J.

Date : December 11, 2024.

P. C. :

1. This Court is informed that the matter is settled between

the parties i.e. between the Bank and the Borrower and the consent terms are tendered. As the property had already been auctioned and the auction purchaser had deposited Rs. 1,54,50,000/- with the Bank. Learned Counsel appearing for the Petitioner-Bank on instructions of Mr. Retharekar Sakham Shripad, Chief Officer of Petitioner-Bank, who is present in the Court, submits that within a period of 2 weeks from today the auction purchaser will be refunded the sum of Rs.1,54,50,000/- along with interest as per rules. The statement is accepted as an undertaking given to this Court. In event of breach the concerned official who is present in Court will be held responsible along with the other officials of the Bank.

2. Consent terms are taken on record and marked "X" for identification. Consent terms are signed by the authorised signatory of Petitioner who is authorised by Resolution dated 6th December 2024, copy whereof is tendered, and the same is taken on record and as also by the borrowers.

3. The Respondent Nos. 4 and 5 are present in the Court for themselves and on behalf of the Respondent No. 7 who is their son and re-iterates the contents of consent terms. Similarly, the authorised signatory of Petitioner is present in the Court and reiterates the contents of consent terms. They are identified on the basis of their Aadhaar Card and also by their respective advocates.

4. Petition is disposed of in terms of consent terms. Statements made in the consent terms are accepted as undertakings given to this Court.

[Sharmila U. Deshmukh, J.]