



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.2079 of 2024

Dharamraj s/o Sitaram Mohadikar

vs.

*State Bank of India Employees (Charles Coutto) Cooperative Credit Society Limited,
Nagpur and another*

*Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.*

Court's or Judge's Orders

Mr. A.A. Choube, Advocate for the Petitioner.

Mr. B.N. Mohta, Advocate for Respondent No.2.

CORAM: SMT. M.S. JAWALKAR AND M.W. CHANDWANI, JJ.

DATE : 20th DECEMBER, 2024.

The learned Counsel appearing on behalf of respondent No.2 submitted that the arbitral award dated 12/04/2019, in pursuant to which respondent No.2 had locked the saving bank account of the petitioner having an amount of Rs.19,08,608/-, has been set aside by the learned District Judge-2, Nagpur in Civil M.A. No.355/2019 vide order dated 23/01/2023.

02. It is a common ground that till the date, respondent No.1 has not appointed an Arbitrator under Section 84 of the Multi-State Co-operative Society Act, 2002 in view of the liberty given by the learned District Judge in Cri.M.A. No.355/2019.

03. At this stage, the learned Counsel for the petitioner submitted that he is restricting his writ petition to the direction to respondent No.2 to release the amount of Rs.19,08,608/- lying in the saving bank account of the petitioner along with the accrued interest credited by respondent No.2. It is submitted, the petitioner will take

appropriate steps against respondent No.1 for recovery of the amount, which has been deducted from his salary by respondent No.2 and deposited with respondent No.1.

04. Since, the arbitral award is set aside by the learned District Judge, Nagpur and in view of the above submission, the writ petition can be disposed of with a direction to respondent No.2 to release an amount of Rs.19,08,608/- lying in the bank account along with interest accrued thereon, as per the norms of the bank.

05. Accordingly, the writ petition is disposed of.

06. The petitioner shall be at liberty to take appropriate steps against respondent No.1, as available in the law.

(M.W. Chandwani, J.)

(Smt. M.S. Jawalkar, J.)

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