



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.**

WRIT PETITION NO.3833 of 2022

Ramesh B. Kumbhalkar

vs.

The Administrator, Jagruti Sahakari Pat-Sanstha Maryadit, Mundikota and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri N.S. Warulkar, Advocate for petitioner.

Ms Shweta V. Jaiswal, Advocate for respondent nos. 1 and 2.

CORAM :- NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE :- 8th APRIL, 2024.

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Heard.

2. We have perused the affidavit-in-reply tendered by the respondent nos. 1 and 2.

3. In view of the fact that the respondent nos. 1 and 2 have not accepted and implemented the Scheme of One Time Settlement (OTS) which is permissible at their discretion, the counsel for the petitioner has invited our attention to the affidavits which are placed on record during the course of hearing. He has submitted that the affidavit of Yogiraj Waman Sahare and Nilkanth Adkuji Bisen in categorical terms provides for a no objection for encashment of their Fixed Deposits (FDs), which are already available with the respondent nos. 1 and 2.

4. In the aforesaid background, the counsel for the respondent nos. 1 and 2 submits that they shall be appropriated the said FDs as against the claim of the petitioner for neutralizing his loan account. It is informed that the balance amount of Rs.31,000/- shall be deposited by the petitioner within a period of one week from today, which statement is also accepted.

5. In the aforesaid backdrop, we deem it appropriate to dispose of the writ petition. In case, if the aforesaid amount is appropriated,

we accept the statement of the counsel for the respondent nos. 1 and 2 that the loan account of the petitioner shall be termed to be neutralized and the mortgage deed in relation to the immovable agricultural land of the petitioner shall be released within a period of one week thereafter.

6. In view of above, the writ petition stands disposed of. No costs.

(ABHAY J. MANTRI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.