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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**25 CIVIL APPLICATION NO. 1095 OF 2025
IN WP/1664/2011**

AND

WRIT PETITION NO. 1664 OF 2011

**THE MANAGER SAMARTH URBAN CORPORATIVE BANK LTD.,
AND ANR**

....Applicants

VERSUS

APPARAO BABARAO BHOITE AND OTHERS

.....Respondents

Mr. A. S. Deshmukh, Advocate for the applicants
Mr. D. H. Jadhavar, Advocate for the respondent
Mr. P. P. Dawalkar, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 05th MARCH, 2025

P. C.

1. This application is filed by the bank in writ petition No. 1664/2011 for withdrawal of the amount deposited by the respondents herein in the office of this court pursuant to the order dated 18-03-2014. This amount is deposited to show bonafide on the part of the petitioner who has filed petition challenging the recovery certificate issued in infavour of the

bank under Section 101 of the Maharashtra Cooperative Societies Act wherein the persons challenging the recovery certificate has to deposit 75% of the amount of the recovery certificate in the bank. It is seen that the petitioner has bypassed the said remedy and approached this court.

2. Considering the above, it would be appropriate to allow the bank to withdraw the amount laying in the office of this court alongwith accrued interest. Therefore, the application is allowed in terms of prayer clause-B.

3. Amount be transferred alongwith accrued interest through RTGS.

4. The applicant to supply the bank account details to the office of this court.

[KISHORE C. SANT, J.]