



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

18 WRIT PETITION NO.8711 OF 2025

1. Shivaji Ramkisan Hoke
2. Dattatraya Ramkisan Hoke
3. Satish Ramkisan Hoke
4. Sharda Ramrao Kantule
5. Shakuntala Dattatraya Dongare
6. Sagarbai Ramkisan Hoke

.. Petitioners

Versus

1. The State of Maharashtra
Through Principal Secretary,
Ministry of Co-operation, Mantralaya,
Mumbai.
2. The Registrar of Co-operative Societies,
State of Maharashtra,
Administrative Building,
Near Pune Railway Station, Pune.
3. Raghuprayag Urban Co-operative
Credit Society Ltd. Majalgaon,
Tq. Majalgaon, District Beed.
Head Office : Near Water Tank,
Gala No.27, 28 Mondha,
Majalgaon, District Beed.

.. Respondetns

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Mr. Vijaykumar C. Patil (Ashtekar), Advocate for the Petitioners.

Mr. S. K. Tambe, AGP for Respondents/State.

...

**CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.**

DATE : 13 OCTOBER 2025

ORDER :

. The present petition has been filed for following relief :-

“B) The Hon’ble Court be please to direct respondent No.3 to liquidate the re-invested amount as stated in paragraph No.4 above and pay the same to petitioners as per the order dated 20.02.2024 passed by the learned Civil Judge Senior Division, Majalgaon in Miscellaneous Civil Application No.08 of 2024.”

2. It appears that the succession certificate has been issued in favour of the petitioners by learned Civil Judge Senior Division, Majalgaon, District Beed by order dated 20.02.2024. According to the petitioner instead of liquidating the fixed deposits, they have been re-investigated by the bank. The petitioners state that legal notice was issued to the bank on 30.05.2025.

3. Here, it is to be noted that the legal notice appears to have been given only by one person when in fact as per the succession certificate that has been issued, it stands in the name of in all six persons. The learned Advocate for the petitioners submits that no application was presented to

the bank disclosing the desire of the petitioner not to continue the fixed deposits. Under such circumstance, only on the basis of the legal notice, the bank could not have discontinued the fixed deposits. The petitioners should know the procedure as to how discontinuation of fixed deposit is made. The original fixed deposit will have to be presented with the bank.

4. Now, the learned Advocate for the petitioners seeks withdrawal of the petition with liberty to approach the bank with appropriate application.

5. In view of the fact that the petition suffers from the technicalities, we allow the withdrawal of the same with liberty to the petitioners to approach the bank by adopting proper procedure.

6. Accordingly, the writ petition stands dismissed as withdrawn.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm