



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

**922 ARBITRATION APPEAL NO. 23 OF 2025**

Yash Multi State Rural Cooperative Credit Society Ltd. Through  
Pravin Balasaheb Chaudhari

VERSUS

Shri. Bharat Arjundas Narang And Others

...

Mr. Abhijit Chandrakant Darandale, Advocate for Appellant

...

**WITH  
CIVIL APPLICATION NO. 7665 OF 2025 IN ARBA/23/2025**

...

**CORAM : ROHIT W. JOSHI, J.**

**DATED : 25<sup>th</sup> JULY 2025**

**PER COURT :-**

**ARBITRATION APPEAL NO. 23 OF 2025 :**

1. Issue notice to the respondents, returnable on 12.09.2025.
2. Appellant is directed to serve respondents by registered post acknowledgment due in addition to regular mode of service.

**CIVIL APPLICATION NO. 7665 OF 2025 :**

3. The learned Advocate for the appellant contends that the issue of membership was not even raised by the respondent in arbitration proceedings. He contends that although there is a specific pleading in the application for recovery filed before the learned Arbitrator, in the statement of defense, the contention that respondents are members of the appellant/society is not denied.

4. He contends that despite this, the learned District Judge while allowing the objection filed under Section 34 of the Arbitration and Conciliation Act, 1996 has held that the appellant had failed to prove that the respondents were members of the appellant-society. Having regard to the fact that pleading of membership is not denied, the appellant has made out a case for grant of interim relief. Therefore till further orders there shall be ad-interim relief in terms of prayer clause (c) of the Civil Application which reads as under :

*“C. Pending hearing and final disposal of the above mentioned Arbitration Appeal pass an order of attachment before the award attaching the mortgaged properties i.e.*

- a. Gat no.161/B, adm. OH0.350R,*
- b. Gat no.161/B/308, adm. OH 04.50R,  
Both situated at Babhaleshwar, Taluka Rahata  
District Ahmednagar*
- c. Sy. no. 32A/1A/1C/17 (Gat no.25/1 to 4/133) and,  
OH.03R situated at Shrirampur District Ahmadnagar.”*

5. Leave to file hard copy. Office to accept hard copy of Arbitration Appeal and Civil Application.

**[ROHIT W. JOSHI, J.]**