IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9153 OF 2025

M/S. Golden Erectors Through Partners And Ors	…	Petitioners
V/s.		
Reserve Bank Of India	…	Respondent

Mr. Dinesh Tiwari a/w Anish Sharma, Pulkeshi Gaikwad, Parveen Bano and Eram Siddiqui i/by Dinesh Tiwari and Associates, for the petitioner.

CORAM : N.J. JAMADAR, J.

DATE : 6TH OCTOBER 2025.

PC:

1. Heard the learned counsel for the petitioners.

2. The challenge in this petition is to an order dated 3rd January 2025 passed by the Ombudsman, RBI, whereby the complaint dated 13th August 2024 filed by the petitioner against the Pandharpur Urban Co-operative Bank Limited, Pandharpur, Solapur, regarding the loans and advances, came to be disposed.

3. The Ombudsman was of the view that the complaint of the petitioners was covered by clause 16(1)(a)10(2)(b)(ii) of the Reserve Bank of India, Integrated Ombudsman Scheme, 2021 which stipulates that, a complaint under the Scheme shall not lie unless the complaint

is not in respect of the same cause of action which is already pending before any Court, Tribunal or Arbitrator or any other Forum or Authority; or, settled or dealt with on merits, by any Court, Tribunal or Arbitrator or any other Forum or Authority, whether or not received from the same complainant or along with one or more of the complainants/parties concerned.

4. The petitioners were aggrieved by the designation of the account of the petitioners as NPA. In the complaint lodged before the Ombudsman, the petitioners had, inter alia, prayed for the directions to the Pandharpur Urban Co-operative Bank Limited to settle the loan account as per the findings of the Test Audit Report dated 11th March 2024 and also stay the proceedings of the bank to take possession of the property of the petitioners until the matter is settled.

5. Evidently, the petitioners were praying for substantive reliefs which warrants adjudication by the Courts and Tribunals. The basis of the complaint appears to be Test Audit Report conducted by the Registrar of Co-operative Societies under the Maharashtra Co-operative Societies Act, 1960, pursuant to the complaint lodged by the petitioners. There are provisions under the Maharashtra Co-operative Societies Act, 1960, which govern the conduct of Test Audit Report, the importance thereof and action thereon.

6. Having regard to the nature of the grievance before the Ombudsman and the proceedings which have ensued till date including before the Debt Recovery Tribunal, the Ombudsman was justified in closing the complaint opining it was covered by clause 16(1)(a)10(2)(b)(ii) of the Reserve Bank of India, integrated

Ombudsman Scheme, 2021.

7. No interference is warranted in the impugned order. The petition stands disposed.

8. The petitioners are at liberty to work out the remedies as available in law.

(N.J. JAMADAR, J)