

ITEM NO.52

COURT NO.5

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 20843/2010

(Arising out of impugned final judgment and order dated 28/01/2010 in MP No. 1/2009 in WA No. 17093/2009 passed by the High Court Of Madras)

R.PAUL RAJ

Petitioner(s)

VERSUS

DY.REGR.OF COOP.SOCIETIES & ORS.
(with interim relief and office report)

Respondent(s)

Date : 15/12/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE JAGDISH SINGH KHEHAR
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. A. Mariarputham, Sr. Adv.
Mr. Yusuf Khan, Adv.
for M/s Arputham Aruna & Co.

For Respondent(s) Mr. Subramonium Prasad, Adv.
Mr. B. Balaji, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The following order was passed by this Court on
08.12.2014:

"Learned senior counsel for the petitioner states that the petitioner was found responsible for having verified and recommended two loans in the sum of Rs.66,810/- and Rs.15,000/-, and was accordingly, made liable for a total sum of Rs.81,810/-.

It is the submission of the learned senior counsel for the petitioner, that the petitioner had adopted an express stance, that the petitioner had neither verified nor recommended the loan of Rs.66,810/-,

but that the same had been verified and recommended by his predecessor. It is also submitted, that the aforesaid assertion made by the petitioner, was not disputed in the pleadings filed on behalf of the respondents.

Learned Additional Advocate General appearing on behalf of the respondents, seeks a short adjournment so as to enable him to verify, the factual position noticed hereinabove."

Learned counsel for the respondents, having obtained instructions states, that the learned counsel for the petitioner was fully justified in submitting to this Court, that the loan of Rs.66,810/- was neither recommended nor verified by the petitioner, and that the same was verified and recommended by his predecessor.

In view of the statement made by the learned counsel for the respondents, we are satisfied, while disposing of this special leave petition, to direct that the sum of Rs.66,810/- ordered to be recovered from the petitioner, shall not be recovered from him, and that, only a sum of Rs.15,000/- recommended and verified by the petitioner, shall be recoverable from him.

In view of the above, the petitioner is directed to deposit a sum of Rs.15,000/- within four weeks from today, with the Registrar of Co-operative Societies, Tamil Nadu.

The instant petition is disposed of in the above terms.

(Parveen Kr. Chawla)
Court Master

(Renuka Sadana)
Court Master