

ITEM NO.49

COURT NO.11

SECTION IX

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 27740/2011

(Arising out of impugned final judgment and order dated 11-07-2011 in WP No. 2503/2011 passed by the High Court Of Judicature At Bombay At Aurangabad)

JALGAON DISTRICT CENTRAL COOP BANK LTD.

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA . & ORS.

Respondent(s)

(IA No. 98343/2022 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 17-10-2022 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s)

Mr. Siddharth Dave, Sr. Adv.  
Mr. M. Y. Deshmukh, AOR  
Mr. Adweetiya Sharma, Adv.  
Ms. Manjeet Kirpal, Adv.

For Respondent(s)

Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya A. Pande, Adv.  
Mr. Bharat Bagla, Adv.

Mr. Shivaji M. Jadhav, Adv.  
Mr. Brij Kishor Sah, Adv.  
Ms. Shivani Routela, Adv.  
Mr. Adarsh Pandey, Adv.  
Ms. Apurva, Adv.  
For M/s. S.M. Jadhav and Company.

UPON hearing the counsel the Court made the following

**O R D E R**

**I.A. No. 98343/2022**

The petitioner has filed present application.

Shri Siddharth Dave, learned senior counsel appearing on behalf of the petitioner states that the provident fund dues have already been deposited with the Provident Fund Authority.

He submits that insofar as the claims of Respondents No.5 to 8 are concerned, the learned Industrial Tribunal vide judgment and order dated 26.06.2014 has already dismissed their complaint and as such no amount is payable to them. It is categorically stated that the said order has not been challenged by the said respondents.

In that view of the matter, we find that there should be no impediment in proceeding with the sale of the property which was mortgaged with the petitioner-bank.

Since the direction No.3 in the impugned order stands already complied with and since no dues are payable to the workers, we find that the directions No.2, 3 and 4, in the impugned order need not deter the sale of the properties mortgaged with the bank.

In that view of the matter we permit the petitioner-bank to proceed with the sale in accordance with law. The directions No.2, 3 and 4 are quashed and set aside.

I.A. No. 98343/2022 is, accordingly, disposed of.

**SLP(C) NO.27740/2011**

In view of the orders passed in I.A. No. 98343/2022, nothing survives for adjudication in this special leave petition. The special leave petition is, accordingly, disposed of.

Pending application(s), if any, shall stand disposed of.

**(NARENDRA PRASAD)**  
ASTT. REGISTRAR-cum-PS

**(ANJU KAPOOR)**  
COURT MASTER (NSH)