



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 11098/2021

Vinod Chaplot S/o Shri Sampat Raj Jain, Aged About 46 Years,
By Caste Jain, Resident Of 56-A Samta Nagar, Sector-3, Hiran
Magri, Udaipur.

-----Petitioner

Versus



1. The Union Of India, Through The Secretary, Finance Department, Government Of India, Safdarjung Road, New Delhi.
2. The Chief General Manager, Incharge, Reserve Bank Of India, Department Of Regulation, Central Office, C-7, 1st/2nd Floor, Bandra-Kurla Complex, Bandra (East), Mumbai 400 051.
3. The Deputy General Manager, Department Of Supervision, Reserve Bank Of India, Ram Bagh Circle, Tonk Road, Jaipur, Rajasthan.
4. The State Of Rajasthan, Through The Secretary, Cooperative Department, Secretariat, Jaipur, Rajasthan.
5. The Udaipur Mahila Samridhi Urban Cooperative Bank Limited, Through Its Chairman, 'samridhi' 2/7, 1st Floor, 100 Ft. Road, Sector-14, Goverdhan Vilas, Udaipur 313 002

-----Respondents

For Petitioner(s) : Mr. Manoj Bhandari

JUSTICE DINESH MEHTA

Order

25/08/2021

1. Mr. Manoj Bhandari, learned counsel submits that the letter dated 25.06.2021, issued by the Reserve Bank of India, interferes with the service conditions of the Managing Director / the Chief Executive Officer, who are governed by the bye laws and rules framed under the Cooperative Societies Act.



2. Learned counsel further submits that the Urban Cooperative Bank has been registered under the provisions of the Rajasthan Cooperative Societies Act and recruitment, terms and conditions of service of its employees fall under Entry 32 in List-II-State List of the Seventh Schedule of the Constitution of India, whereas "Banking" comes under Entry 45 in List-I of the Seventh Schedule.

Thus, the power to legislate in the field of cooperative societies vests with the State Government and does not fall within the domain of Central Government, much less Reserve Bank of India. He thus argues that the Reserve Bank of India has no power or competence to issue impugned communication/letter dated 25.06.2021.

3. Matter requires consideration.

4. Issue notice. Issue notice of stay application also, returnable within six weeks.

5. Meanwhile, no action shall be taken against the petitioner pursuant to clause (4) of the communication dated 25.06.2021, issued by the Reserve Bank of India.

6. Connect with S.B. Civil Writ Petition No.11222/2021.

सत्यमेव जयते (DINESH MEHTA),J

114-Ramesh/-