

2) The application of the bank for issuance of such certificate shall be decided afresh by the Deputy Registrar, Co-operative Societies, Vasai Taluka, Vasai on merits and in accordance with law. He shall hear the Petitioner as also the borrowers and pass a reasoned order uninfluenced by any conclusions or findings in the alleged order passed on 31<sup>st</sup> March, 2012. All contentions of both sides are kept open.

3) The Writ Petition is disposed of accordingly and in the above terms.

4) We hope that the Registrar, Co-operative Societies, Maharashtra State hereafter take note of grievances of banks like the Petitioner that some officers in employment of the Co-operative banks are designated and nominated as recovery officers and authorities empowered to issue such certificate by the Association of the Co-operative banks, but these are not discharging their functions and duties in accordance with law.

[ Hereafter, it should be clarified to all such banks and their representatives that only the authorities designated and recognised by the Maharashtra Co-operative Societies Act, 1960 will issue such certificates and after complying with the provisions of law. ]