

ITEM NO.22

COURT NO.7

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).16087/2017

[Arising out of impugned final judgment and order dated 30-01-2017 in WP No. 4399/2013 passed by the High Court of Judicature at Bombay]

**NATIONAL BANK OF AGRICULTURE AND RURAL
 DEVELOPMENT (NABARD) MANAGER & ANR.**

Petitioner(s)

VERSUS

ABDUL MAJID BABASO MOMIN & ORS.

Respondent(s)

**[FOR FINAL DISPOSAL].....[TO BE TAKEN UP AT THE TOP OF
 THE BOARD]**

IA No. 95947/2022 - EXEMPTION FROM FILING O.T.

IA No. 61687/2022 - EXEMPTION FROM FILING O.T.

IA No. 27124/2019 - EXEMPTION FROM FILING O.T.

IA No. 133979/2017 - EXEMPTION FROM FILING O.T.

IA No. 79446/2017 - EXEMPTION FROM FILING O.T.

IA No. 77977/2017 - EXEMPTION FROM FILING O.T.

**IA No. 39927/2026 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES**

**IA No. 50540/2020 - PERMISSION TO FILE ADDITIONAL
 DOCUMENTS/FACTS/ANNEXURES**

WITH

SLP(C) No. 22151/2017 (IX)

FOR APPLICATION FOR SUBSTITUTION ON IA 98048/2018

**FOR [IA FOR CONDONATION OF DELAY IN BRINGING THE LORS ON
 RECORD] ON IA 98055/2018**

FOR EXEMPTION FROM FILING O.T. ON IA 98061/2018

IA No. 98048/2018 - APPLICATION FOR SUBSTITUTION

IA No. 98061/2018 - EXEMPTION FROM FILING O.T.

**IA No. 98055/2018 - IA FOR CONDONATION OF DELAY IN BRINGING THE
 LORS ON RECORD**

SLP(C) No. 25224/2017 (IX)

FOR APPLICATION FOR SUBSTITUTION ON IA 98411/2018

**FOR [I/A FOR C/D IN BRINGING THE LRS ON RECORD] ON IA
 98416/2018**

IA No. 98411/2018 - APPLICATION FOR SUBSTITUTION

IA No. 98416/2018 - I/A FOR C/D IN BRINGING THE LRS ON RECORD

SLP(C) No. 22159/2017 (IX)

FOR APPLICATION FOR SUBSTITUTION ON IA 98407/2018

**FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA
 98408/2018**

IA No. 98407/2018 - APPLICATION FOR SUBSTITUTION

IA No. 98408/2018 - CONDONATION OF DELAY IN FILING SUBSTITUTION

APPLN.

SLP(C) No. 22148/2017 (IX)
 FOR APPLICATION FOR SUBSTITUTION ON IA 98438/2018
 FOR [I/A FOR C/D IN BRINGING THE LRS ON RECORD] ON IA 98439/2018
 IA No. 98438/2018 - APPLICATION FOR SUBSTITUTION
 IA No. 98439/2018 - I/A FOR C/D IN BRINGING THE LRS ON RECORD
 SLP(C) No. 22163/2017 (IX)
 FOR APPLICATION FOR SUBSTITUTION ON IA 98080/2018
 FOR [I/A FOR C/D IN BRINGING THE LRS ON RECORD] ON IA 98082/2018
 IA No. 98080/2018 - APPLICATION FOR SUBSTITUTION
 IA No. 98082/2018 - I/A FOR C/D IN BRINGING THE LRS ON RECORD
 SLP(C) No. 22161/2017 (IX)
 SLP(C) No. 17760/2017 (IX)
 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 119161/2018
 IA No. 119161/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 SLP(C) No. 18107/2017 (IX)
 FOR
 FOR APPLICATION FOR SUBSTITUTION ON IA 98104/2018
 FOR [IA FOR CONDONATION OF DELAY IN BRINGING THE LORS ON RECORD] ON IA 98108/2018
 FOR EXEMPTION FROM FILING O.T. ON IA 98111/2018
 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 119156/2018
 IA No. 98104/2018 - APPLICATION FOR SUBSTITUTION
 IA No. 98111/2018 - EXEMPTION FROM FILING O.T.
 IA No. 98108/2018 - IA FOR CONDONATION OF DELAY IN BRINGING THE LORS ON RECORD
 IA No. 119156/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 SLP(C) No. 18303/2017 (IX)
 FOR APPLICATION FOR SUBSTITUTION ON IA 116816/2017
 FOR CONDONATION OF DELAY IN FILING ON IA 116818/2017
 FOR APPLICATION FOR SUBSTITUTION ON IA 98022/2018
 FOR CONDONATION OF DELAY IN FILING ON IA 98033/2018
 IA No. 98022/2018 - APPLICATION FOR SUBSTITUTION
 IA No. 116816/2017 - APPLICATION FOR SUBSTITUTION
 IA No. 98033/2018 - CONDONATION OF DELAY IN FILING
 IA No. 116818/2017 - CONDONATION OF DELAY IN FILING
 SLP(C) No. 17666/2017 (IX)
 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 119037/2018
 IA No. 119037/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 SLP(C) No. 19640/2017 (IX)
 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 119026/2018
 IA No. 119026/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
 SLP(C) No. 19684/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119031/2018

IA No. 119031/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18606/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119092/2018

IA No. 119092/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 31596/2017 (IX)

SLP(C) No. 17758/2017 (IX)

FOR APPLICATION FOR SUBSTITUTION ON IA 101460/2018
FOR [I/A FOR C/D IN BRINGING THE LRS ON RECORD] ON IA
101463/2018

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119085/2018

IA No. 101460/2018 - APPLICATION FOR SUBSTITUTION

IA No. 101463/2018 - I/A FOR C/D IN BRINGING THE LRS ON RECORD

IA No. 119085/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19182/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118801/2018

IA No. 118801/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18268/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118817/2018

IA No. 118817/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18975/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118963/2018

IA No. 118963/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 17716/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119112/2018

IA No. 119112/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19212/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119053/2018

IA No. 119053/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18521/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119134/2018

IA No. 119134/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19623/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118865/2018

IA No. 118865/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18525/2017 (IX)

**FOR APPLICATION FOR SUBSTITUTION ON IA 97979/2018
FOR CONDONATION OF DELAY IN FILING ON IA 97983/2018
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118869/2018**

IA No. 97979/2018 - APPLICATION FOR SUBSTITUTION

IA No. 97983/2018 - CONDONATION OF DELAY IN FILING

IA No. 118869/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18391/2017 (IX)

**FOR APPLICATION FOR SUBSTITUTION ON IA 98000/2018
FOR [I/A FOR C/D IN BRINGING THE LRS ON RECORD] ON IA
98005/2018**

**FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118947/2018**

IA No. 98000/2018 - APPLICATION FOR SUBSTITUTION

IA No. 98005/2018 - I/A FOR C/D IN BRINGING THE LRS ON RECORD

IA No. 118947/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18966/2017 (IX)

**FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118928/2018**

IA No. 118928/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19274/2017 (IX)

**FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119041/2018**

IA No. 119041/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19568/2017 (IX)

**FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118915/2018**

IA No. 118915/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18950/2017 (IX)

**FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119001/2018**

IA No. 119001/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19263/2017 (IX)

**FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118889/2018**

IA No. 118889/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18306/2017 (IX)

**FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118943/2018**

IA No. 118943/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19566/2017 (IX)

FOR APPLICATION FOR SUBSTITUTION ON IA 98124/2018

FOR [I/A FOR C/D IN BRINGING THE LRS ON RECORD] ON IA 98130/2018

IA No. 98124/2018 - APPLICATION FOR SUBSTITUTION

IA No. 98130/2018 - I/A FOR C/D IN BRINGING THE LRS ON RECORD

SLP(C) No. 18516/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118862/2018

IA No. 118862/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18267/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118832/2018

IA No. 118832/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18500/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118853/2018

IA No. 118853/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19273/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118925/2018

IA No. 118925/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18922/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118932/2018

IA No. 118932/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18517/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118939/2018

IA No. 118939/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19378/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118905/2018

IA No. 118905/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 25422/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 119003/2018

IA No. 119003/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18929/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118992/2018

IA No. 118992/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19211/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118858/2018

IA No. 118858/2018 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES**SLP(C) No. 18648/2017 (IX)****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119075/2018****IA No. 119075/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 19276/2017 (IX)****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118872/2018****IA No. 118872/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 19214/2017 (IX)****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 63114/2017****FOR EXEMPTION FROM FILING O.T. ON IA 63115/2017****FOR APPLICATION FOR SUBSTITUTION ON IA 98114/2018****FOR [I/A FOR C/D IN BRINGING THE LRS ON RECORD] ON IA
98116/2018****FOR EXEMPTION FROM FILING O.T. ON IA 98118/2018****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119061/2018****IA No. 98114/2018 - APPLICATION FOR SUBSTITUTION****IA No. 98118/2018 - EXEMPTION FROM FILING O.T.****IA No. 63115/2017 - EXEMPTION FROM FILING O.T.****IA No. 98116/2018 - I/A FOR C/D IN BRINGING THE LRS ON RECORD****IA No. 119061/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES****IA No. 63114/2017 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 19171/2017 (IX)****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119068/2018****IA No. 119068/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 24654/2017 (IX)****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119081/2018****IA No. 119081/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 21773/2019 (IX)****FOR****FOR EXEMPTION FROM FILING O.T. ON IA 138405/2019****IA No. 138405/2019 - EXEMPTION FROM FILING O.T.****SLP(C) No. 26287/2019 (IX)****FOR****FOR EXEMPTION FROM FILING O.T. ON IA 167827/2019****IA No. 167827/2019 - EXEMPTION FROM FILING O.T.****SLP(C) No. 17759/2017 (IX)****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118957/2018****IA No. 118957/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 17715/2017 (IX)**

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119096/2018

IA No. 119096/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 19312/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119162/2018

IA No. 119162/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18476/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119150/2018

IA No. 119150/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 17767/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118954/2018

IA No. 118954/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 17763/2017 (IX)

FOR APPLICATION FOR SUBSTITUTION ON IA 98093/2018
FOR [I/A FOR C/D IN BRINGING THE LRS ON RECORD] ON IA
98099/2018

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118827/2018

IA No. 98093/2018 - APPLICATION FOR SUBSTITUTION

IA No. 98099/2018 - I/A FOR C/D IN BRINGING THE LRS ON RECORD

IA No. 118827/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18271/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119144/2018

IA No. 119144/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18277/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119129/2018

IA No. 119129/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 17657/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119100/2018

IA No. 119100/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18898/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118959/2018

IA No. 118959/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 17701/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119059/2018

IA No. 119059/2018 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES**SLP(C) No. 17764/2017 (IX)****FOR APPLICATION FOR SUBSTITUTION ON IA 98398/2018****FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA 98401/2018****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118911/2018****IA No. 98398/2018 - APPLICATION FOR SUBSTITUTION****IA No. 98401/2018 - CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN.****IA No. 118911/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 18899/2017 (IX)****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118888/2018****IA No. 118888/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 17755/2017 (IX)****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118920/2018****IA No. 118920/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 18503/2017 (IX)****FOR APPLICATION FOR SUBSTITUTION ON IA 97996/2018****FOR CONDONATION OF DELAY IN FILING ON IA 98004/2018****FOR EXEMPTION FROM FILING O.T. ON IA 98007/2018****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 118899/2018****IA No. 97996/2018 - APPLICATION FOR SUBSTITUTION****IA No. 98004/2018 - CONDONATION OF DELAY IN FILING****IA No. 98007/2018 - EXEMPTION FROM FILING O.T.****IA No. 118899/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 18492/2017 (IX)****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 119006/2018****IA No. 119006/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 18928/2017 (IX)****FOR APPLICATION FOR SUBSTITUTION ON IA 98068/2018****FOR [IA FOR CONDONATION OF DELAY IN BRINGING THE LORS ON RECORD] ON IA 98071/2018****FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 119014/2018****IA No. 98068/2018 - APPLICATION FOR SUBSTITUTION****IA No. 98071/2018 - IA FOR CONDONATION OF DELAY IN BRINGING THE LORS ON RECORD****IA No. 119014/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES****SLP(C) No. 18477/2017 (IX)****FOR APPLICATION FOR SUBSTITUTION ON IA 98430/2018****FOR [I/A FOR C/D IN BRINGING LRS ON RECORD] ON IA 98433/2018****FOR EXEMPTION FROM FILING O.T. ON IA 98434/2018**

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118875/2018

IA No. 98430/2018 - APPLICATION FOR SUBSTITUTION

IA No. 98434/2018 - EXEMPTION FROM FILING O.T.

IA No. 98433/2018 - I/A FOR C/D IN BRINGING LRS ON RECORD

IA No. 118875/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 17683/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118850/2018

IA No. 118850/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18273/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118879/2018

IA No. 118879/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18934/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118876/2018

IA No. 118876/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 17658/2017 (IX)

FOR APPLICATION FOR SUBSTITUTION ON IA 98115/2018
FOR CONDONATION OF DELAY IN FILING SUBSTITUTION APPLN. ON IA
98119/2018

FOR EXEMPTION FROM FILING O.T. ON IA 98120/2018

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 118936/2018

IA No. 98115/2018 - APPLICATION FOR SUBSTITUTION

IA No. 98119/2018 - CONDONATION OF DELAY IN FILING SUBSTITUTION
APPLN.

IA No. 98120/2018 - EXEMPTION FROM FILING O.T.

IA No. 118936/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 18349/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119064/2018

IA No. 119064/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 17734/2017 (IX)

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON
IA 119071/2018

IA No. 119071/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

SLP(C) No. 17761/2017 (IX)

FOR APPLICATION FOR SUBSTITUTION ON IA 98400/2018
FOR CONDONATION OF DELAY IN FILING ON IA 98403/2018

IA No. 98400/2018 - APPLICATION FOR SUBSTITUTION

IA No. 98403/2018 - CONDONATION OF DELAY IN FILING

SLP(C) No. 22654/2017 (IX)

IA No. 56032/2017 - EXEMPTION FROM FILING O.T.

IA No. 119107/2018 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 56031/2017 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

Date : 10-03-2026 These matters were called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) : Mr. Vikramjit Banerjee, A.S.G, Sr. Adv.
Mr. P. K. Jain, AOR
Mr. Saurabh Jain, Adv.
Mr. V.N. Singh, Adv.
Mr. S. P. Singh Rathore, Adv.
Mr. P. K. Goswami, Adv.
Ms. Akansha, Adv.
Mr. Sahil Bhalotia, Adv.
Mr. Hritik Pathak, Adv.

For Respondent(s) : Mr. Santosh Kumar Pandey, AOR

Mr. Shivaji M. Jadhav, Adv.
Mr. Brij Kishor Sah, Adv.
Ms. Apurva, Adv.
Mr. Aditya S. Jadhav, Adv.
Mr. Shivaji M. Jadhav, AOR

Mr. K.M. Nataraj, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Mr. Pranay Ranjan, Adv.
Mr. Akshay Amritanshu, Adv.
Mr. Harish Pandey, Adv.
Mr. Chitvan Singhal, Adv.
Mr. Shashank Bajpai, Adv.
Mr. V Chitambaresh, Adv.

Mr. Anish R. Shah, AOR

Mr. C. A. Sundaram, Sr. Adv.
Mr. Shivaji M. Jadhav, Adv.
Mr. Brij Kishor Sah, Adv.
Ms. Apurva, Adv.
Mr. Aditya S. Jadhav, Adv.
M/s S.M. Jadhav And Company, AOR

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

1. We heard Mr. Vikramjit Banerjee, the learned A.S.G. appearing for the petitioner NABARD, Mr. C. A. Sundaram, the learned senior counsel appearing for the respondent nos. 1 to 3, respectively and Mr. Anish R. Shah, the learned counsel appearing for the respondent no.5-Bank.
2. These litigations between NABARD, Co-operative Bank and the farmers originates from a scheme introduced by the Government of India, sometime in 2008, called the *Agricultural Debt Waiver and Debt Relief Scheme*.
3. In accordance with the scheme referred to above, the Bank before us, i.e., the Kolhapur District Central Cooperative Bank Ltd. (hereinafter referred to as "Kolhapur DCCB") put forward a claim of Rs.293.78 crore before the NABARD through the Maharashtra State Co-operative Bank (MSCB) under the scheme.
4. Sometime in 2008, NABARD released Rs.203.27 crore in three equal installments. Subsequently, during the course of the statutory inspection between December 2009 and January 2010 of the Bank regarding its financial position, it came to the notice of NABARD that the loans were disbursed to the borrowers beyond the Normal Credit Limit (NCL) of crop loan at society level and such loans were included in the claims under the *Agricultural Debt Waiver and Debt Relief Scheme* referred to above.
5. It appears from the materials on record that in the aforesaid context, NABARD initiated appropriate proceedings in

the form of enquiry, etc.

6. Sometime in 2010, it was decided that a special audit be conducted for the purpose of verification of the alleged irregularities in the claims and the loans disbursed beyond NCL.

7. A report dated 31.12.2010 was submitted by Kolhapur DCCB to NABARD admitting that the loans were beyond the NCL.

8. It appears and in fact, it is not in dispute that the Kolhapur Bank refunded the excess amount which was claimed by it beyond NCL. In the wake of such development, the Kolhapur DCCB issued a circular and directed the Primary Agricultural Credit Society (PACS) to debit the amount from the account of the farmers.

9. It also appears that NABARD issued circulars dated 11.01.2013, 05.03.2013 and 12.03.2013 respectively, advising all the State Co-operative Banks in India for cent percent auditing of borrowers' accounts. It also directed that corrective measures be undertaken in view of the Comptroller and Auditor General (C&AG) report.

10. In 2013, Kolhapur DCCB issued circular to all PACS, i.e., Primary Agricultural Credit Society to recheck entire claim under the scheme.

11. The aforesaid led to filing of a Writ Petition being Writ Petition No.4399/2013 by the respondent nos.1 to 3 respectively before us, in the High Court.

12. In the Writ Petition before the High Court, the original petitioners, i.e., the respondent nos. 1 to 3 respectively

before us prayed for quashing and setting aside of the explanation to clause 4 recorded in the circular dated 21.03.2013 issued by the Kolhapur DCCB before us. This circular had something to do with directions to undertake re-audit in adherence to the Normal Credit Limit (NCL) of the Primary Agricultural Credit Societies.

13. It was the case of the petitioners before the High Court that such directions were contrary to the guidelines of the scheme. The High Court formulated the following questions for its consideration:-

“(1) Whether it would be permissible to reaudit the Scheme already finalized under the ADWDRS, 2008, contrary to the guidelines issued by Respondent No.1 and on consideration of the instructions of Respondent No.3?

(2) Whether Normal Credit Limit could be a criteria for re-auditing the Scheme finalized under ADWDRS contrary to the guidelines issued by Union Government so as to make them applicable only for Kolhapur District and that too in respect of agriculturists who have taken loans from Village Level Co-operative Societies?

(3) Whether it would be permissible for Respondent No.2 to direct Respondent No.4 to debit the alleged excess amounts in the Accounts of agriculturists, which have been already waived under the ADWDRS after a lapse of three and half years?

(4) Whether such a direction can be issued, affecting financial interest of the marginal and small farmers without extending opportunity of hearing to them?”

14. The High Court while allowing the Writ Petition preferred by the original petitioners, i.e., the respondent nos. 1 to 3 before us took the view that it was too late in the day to order any re-audit.

15. The High Court thought fit to accept the contentions canvassed on behalf of the petitioners that the concept of Normal Credit Limit (NCL) was outside the scope of the scheme. The High Court observed that whether any particular loan in respect of which waiver has been granted is beyond the normal credit limit is a question of fact and the same cannot be looked into for the purpose of defeating the claim of an individual agriculturist, more particularly, after the benefit has already been extended to the farmers under the scheme.

16. The High Court observing the aforesaid, disposed of the Writ Petition.

17. In such circumstances referred to above, NABARD is here before us with the present petitions.

18. According to Mr. Banerjee, the learned A.S.G. appearing for the petitioner, NABARD has nothing to do with the farmers. He made himself abundantly very clear that Bank has already paid an amount of Rs.112 crore but with the impugned judgment of the High Court, NABARD will have to refund this amount with interest to the Bank.

19. According to him, whether any recovery should be undertaken from an individual farmer or not is for the Bank to decide. NABARD is not saying anything in this regard. He makes his case very simple saying that Normal Credit Limit applies to the waiver scheme and this was not adhered to by the Bank at the time of applying the waiver scheme on the ground that the scheme did not mention anything about Normal Credit Limit (NCL).

20. On the other hand, while opposing these petitions vehemently, Mr. Sundaram, the learned senior counsel appearing for the respondent nos. 1 to 3 respectively submitted that no error, not to speak any error of law could be said to have been committed by the High Court in passing the impugned judgment and order. The High Court has taken a very practical view of the matter, keeping in mind the sorry state of affairs and financial condition and plight of poor farmers. According to the learned senior counsel, the most important finding of fact recorded by the High Court is that NCL is not a part of the scheme and, therefore, there was no question of confining waiver to the Normal Credit Limit (NCL).

21. The learned senior counsel appearing for the respondent nos.1 to 3 has an important submission to canvass. Our attention was invited to an affidavit dated 09.05.2022 filed on behalf of the respondent nos.1 to 3 respectively, more particularly, the averments made in para 9 therein. We reproduce the averments made in para 9 therein along with a chart below:-

"9. The act of Petitioner-NABARD of singling out Respondent No.5 Bank alone is most arbitrary and discriminatory. To show the said discrimination, by way of Affidavit dated 8th February, 2019, a Chart was produced by the Answering Respondent which is annexed at Annexure A-1 (Pg.5), which reads as follows:-

*Illustrative List of Beneficiaries under, ADVIDR-2005
Scheme of Different Banks*

Sr. No.	Bank Name	Beneficiary Name	Area Acre R	Allowed Amt. (Rs.)	Disallowed Amt. (Rs.)

1.	Kolhapur DCC Bank	Arun M. Patil	1-05	12,130	2,24,831
	Sangli DCC Bank	Kisan P. Pawar	1-05	3,00,485	--
2.	Kolhapur DCC Bank	Raghunath Chavan R.	2-25	38,616	9,618
	Dena Bank, Kagal Branch	Laxmibai Patil B.	2-34	85,649	--
3.	Kolhapur DCC Bank	Madukar Patil B.	1-20	10,286	79,833
	Kagal Urban Coop. Bank Ltd. Kagal	Udaysing Ghatage V.	1-20	1,65,554	--

From the said chart, it is clear that in respect of neighboring Sangli DCC Bank, in respect of one farmer Kisan Pawar, entire loan amount of Rs.3,00,485/- was waived. However, in respect of one Arul Patil of Kolhapur DCC Bank, only 12,130/- was allowed and Rs.2,24,831/- was disallowed. It is relevant to mention that the NCL criteria for all the Cooperative Banks is almost same, i.e. around Rs.18,000/- per acre. This Affidavit filed in February, 2019 has not been controverted by NABARD till date."

22. We also incorporate the averments made in para 10 of the said affidavit. The same reads thus:-

"10. Moreover, the Answering Respondent also wishes to clarify another aspect from the Affidavit dated 22.04.2022 filed by Petitioner-NABARD. In Paragraph 13 of the said Affidavit, NABARD has referred to a Letter dated 29.05.2019 issued by Sangli DCC Bank, wherein Sangli Bank has clarified in Para 1 of the said Letter that in respect of a Farmer – Kisan Pawar, the Sangli DCC Bank followed the criteria of NCL while sanctioning the loan. However, in Paragraph 2 and 3 of the same letter, they have stated that the 'entire loan amount' has been waived in accordance with the Scheme. The fact that the loan waived to the said Farmer is within NCL limits is a wrong statement. The said fact can be verified from the Circular dated 11.10.2005 of the Sangli DCC Bank, which clearly shows that the NCL Limit is only Rs.18,000/- per acre. Hence, for a land holding of 1.05 Acres, an amount of Rs.3 Lakhs could not have been waived. A true translated copy of Circular dated

11.10.2005 issued by Sangli DCC Bank as well as True translated copy of the Letter dated 29.05.2019 are enclosed herewith and marked as **Annexure A-1** (Page Nos.6-12) and **Annexure A-2** (Page Nos.13-14)."

23. In para 11 of the affidavit, it has been stated that most of the farmers involved in the present litigation are small and marginal farmers and their ineligible amounts are quite small as already observed in the order passed by this Court dated 02.05.2018. We also extract the chart which is beneath para 11 of the affidavit referred to above.

KOLHAPUR DISTRICT CENTRAL COOP BANK LTD. KOLHAPUR
Amount wise classification of ineligible amount of ADWDR Scheme 2008

Particulars	Total Position					Cumulative Position		
	No. of Accounts	Amount	% to Total amount	% to Total no. of Accounts	No. of Accounts	No. of Accounts	% to total Amount	% to total No. of Accounts
Up to 0.50 lakh	39649	365696368.00	32.43	88.78	39649	365696368.00	32.43	88.78
Above 0.50 Lakh to 1 Lakh	2728	191185909.00	16.95	6.11	42377	556882277.00	49.38	94.89
Above 1 Lakh to 2 Lakh	1383	190653264.00	16.90	3.10	43760	747535541.00	66.28	97.99
Above 2 Lakh to 5 Lakh	700	208200855.00	18.46	1.57	44460	955736396.00	84.74	99.55
Above 5 Lakh to 10 Lakh	156	105947453.00	9.39	0.35	44616	1061683849.00	94.14	99.90
Above 10 Lakh to 20 Lakh	35	46831069.00	4.15	0.08	44652	1108514918.00	98.29	99.98
Above 20 Lakh to 37 Lakh	7	19277433.00	1.71	0.02	44659	1127792351.00	100.00	100.00
	44659	1127792351.00	100.00	100.00				

24. In the aforesaid context, at this stage, it is necessary for us to look into the order dated 02.05.2018 passed by a coordinate Bench of this Court. The same reads thus:-

"xxx

It is stated by the learned counsel for the respondent - applicant that though there is no interim order of this

Court the order of the High Court challenged in the Special Leave Petition(s) has not been implemented and that such non-implementation has resulted in an apprehension in the applicant that for the incoming agricultural season no loans will be forthcoming.

Having considered the matter and upon due consideration of the statements made in the chart, extracted above, we are of the view that appropriate order to be passed at this stage is that for loanees whose amount is upto Rs.1,00,000/- (Rupees one lakh) as per the chart extracted above the pendency of the present Special Leave Petition(s) and the issue arising therein should not come in the way of their entitlement to receive loan for the incoming agricultural season. This order, naturally, shall be subject to such order/orders as may be passed in the present Special Leave Petitions which would be listed for hearing on 28th August, 2018.

xxx"

25. Mr. Sundaram, the learned senior counsel also invited our attention to one order passed by this Court dated 13.04.2022.

The same reads thus:-

"By the impugned judgment, the High Court noticing what it considered the plight of the farmers, while permitting the petitioner to go ahead in the case of fraudulent claims or on other valid grounds has discountenanced the applying of the Normal Credit Limit (NCL) for the purpose of taking away benefits already extended to marginal and small farmers.

When this case came up on 02.05.2018, this Court inter alia noted that there were 39649 accounts which consisted of loan facilities made available which extended up to Rs.50,000/-. It is the complaint of the respondents that on account of the pendency of the matter, the credits have been reversed and what is more, they are not in a position to avail fresh loans. Learned counsel appearing for the Bank also does not deny that fresh loans have not been sanctioned to the marginal and small farmers.

In fact, our attention was drawn by the learned senior counsel for the petitioner to communication dated 10.08.2010 showing number of beneficiaries calculated at a total of 193 which is palpably wrong going by the

number of beneficiaries shown in the portion above the total. Even if the total number of beneficiaries are totalled up, the figure falls far short of the number of beneficiaries noted by this Court i.e. 39649 in its order dated 02.05.2018.

There is need for clarity as to the present position, in particular, as to what is it that is found as against the 39649 of the account holders who have availed loans only up to Rs.50,000/-.

These special leave petitions were filed in the year 2017. As to what exercise has been carried out in terms of what is permitted under the impugned order is explained by way of pointing out that since the matter was pending no action was taken.

List these matters on 26th April, 2022.

On the said day, both the petitioner and also the Union of India will place before this Court by way of respective affidavits, the following information:

As regards the account holders mentioned in order dated 02.05.2018 – 39649 who have taken a loan of amount up to Rs.50,000/-, it will be clearly indicated as to what it is that is found against them.

The petitioner will also place before us as to any steps which it has taken in pursuance of the permission granted under the impugned judgment. In other words, the petitioner will place before us as to instances of fraud or other illegalities which it has discovered in respect of the accounts with the bank in question.

The petitioner-NABARD and Union of India will specifically indicate as to whether the criteria of Normal Credit Limit (NCL) has been applied in respect of loans by other banks in the country."

26. By the order referred to above, NABARD and the Union of India, both were directed to indicate as to whether the criteria of Normal Credit Limit (NCL) had been applied in respect of loans by other banks in the country.

27. To this specific question posed by this Court referred to above, an affidavit came to be filed by NABARD dated 14.07.2022 wherein NABARD stated as under:-

"That the issue of non-adherence to Normal Credit

Limit (NCL) did not arise in any other case in India except the case of the respondent no.5, i.e., the Kolhapur DCCB. However, Inspecting Officers observed/noted other irregularities in the implementation of the scheme."

28. The learned counsel appearing for the respondent no.5-Kolhapur DCCB submitted that in view of the impugned judgment and order passed by the High Court, the Bank is entitled to now claim refund of Rs.112 crore from NABARD which was duly paid at the relevant point of time by the Bank to NABARD.

29. He brought to our notice that the total corpus of the Bank is around Rs.10,000 crores out of which there are loans worth Rs.7,500 crores and out of Rs.7,000 and odd crores of loans, the amount of NPA is to the tune of about Rs.4,000 crores.

30. Thus, from the aforesaid, it is apparent that manifold contentions have been raised on behalf of the parties before us.

31. We do not propose to say anything at this point of time in so far as vociferous submission of Mr. Sundaram that there has been a discrimination with respect to the applicability of Normal Credit Limit. However, considering the fact that the scheme is of the year 2008, the interest of the poor farmers is at stake and almost 19 years have lapsed, we want the Chairman of NABARD to immediately convene a meeting with the Chairman of the Kolhapur DCCB and try to evolve a scheme by which a reasonable/equitable solution is brought around, keeping the interest of all in mind, i.e., NABARD, the farmers and the Kolhapur DCCB.

32. We believe that instead of going into the merits of the matter, it will be much better if the parties sit together and try to find a way out at the earliest.

33. We expect NABARD, the respondent nos. 1 to 3 respectively and the Kolhapur DCCB to take a practical view of the matter and see to it that as far as possible this problem is solved, failing which we will take an appropriate call on the merits of

the case.

34. Post this matter for further hearing on 06.05.2025 on top of the board.

35. By the next date of hearing, we want a comprehensive report of the developments that take place during the interact period.

36. If NABARD is of the view that consultation in this regard with the Union of India is necessary, it shall undertake such consultation at the earliest. We want the Union of India also to look into our order and see to it that as far as possible, the controversy is resolved.

(HARPREET KAUR)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)