

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 857 OF 2014

Bombay Mercantile Co-operative
Bank Ltd., Branch Nanded and anr.

.. Applicants
(Orig. Complainant)

Vs.

Ramanand Gangadharrao Hawa and anr.

.. Respondents

Mr. A.D. Kasliwal, Advocate for the applicants
Mr. P.G. Rodge, Advocate for respondent no.1
Mr. S.P. Daund, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.

DATE : 20/04/2015

ORAL ORDER :

1. Heard both sides.
2. Upon hearing both sides, it is found that in the dispute before the Co-operative Court, the order in favour of the present applicant-complainant is passed, which, prima facie, at this stage, would show that there is a legally recoverable debt. In that view of the matter, without making any comment on the merit of the case, since arguable case is made out, leave to file appeal is hereby granted.
3. Criminal Application no.857 of 2014 is accordingly allowed and disposed of.

4. Office to register the appeal as per due procedure of law.

5. Upon registration of the appeal, the same stands admitted.

6. Mr. P.G. Rodge waives notice for respondent no.1 upon admission of the appeal. Mr. Daund, learned A.P.P. waives notice for the respondent no.2-State.

7. Since limited evidence is there on record, preparation of the paperbook is dispensed with.

[M.T. JOSHI]
JUDGE

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