

dgm

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO. 1375 OF 2014

Evergreen Tenants' Co-operative
Hsg. Society Ltd.

.... Petitioner /
Respondent No.1./
Orig.Disputant No.1.

vs

Mr. Kanaiyalal V. Mehta and ors.

.... Respondents
(Respondent Nos. 1 to 3-
Appellants/orig.Disputants
& Respondent No.4 to 6-orig
Nos. 2 to 4)

Ms. Usha Tiwari for the Petitioner
Mr. M. C. Dixit for the Respondents 1 and 2.

CORAM: ANOOP V. MOHTA, J.

DATE : February 02, 2015

P.C.:

Rule. Rule returnable forthwith. Heard finally by consent
of parties.

2 The Petitioner, on instructions, restricted the case only
with regard to the portion of the order dated 27.11.2012 which is as

under :

“Appeal is allowed. Order passed by the trial Court is quashed and set aside. Society to produce the original books of accounts and the resolutions of A.G.M's held on 25/11/2000, [and all the documents which are in their custody as demanded by the disputant.]”

3 The learned counsel for the Petitioner makes statement that so far as the earlier part of the order, they have produced the original Register containing Special Body Meeting and Annual General Body meeting minutes from 2000 to 2012-2013 and even if not produced, they undertaking to produce the same within 15 days.

4 So far as the other part of the order so referred above referring to “all documents”, I am inclined to set aside that portion with liberty to the Respondents 1 to 3 to apply for producing all documents as well as inspection referring to the issues so raised and the learned authority to decide the same in accordance with law and to pass appropriate order referring to specific documents which are necessary for proper adjudication/issues in question.

5 With this, the writ petition is disposed of with liberty as
referred above. No costs.

6 Rule is disposed of in the above terms.

(ANOOP V. MOHTA, J.)