

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.1648 of 2015

(Smt. Sushama w/o Rajesh Hande v. Subhalaxmi Credit Co-operative Society Ltd.,
through its Manager/Recovery Officer, Nagpur)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's order

Court's or Judge's orders

Smt. S.W. Deshpande, Advocate for Petitioner.
Shri N.S. Bhattad, Advocate for Respondent.

Coram : R.K. Deshpande, J.

Date : 6th October, 2015

The Co-operative Court at Nagpur passed a decree for recovery of an amount of Rs.30,000/- against the petitioner along with interest at the rate of 18% per annum from the date of disbursement of loan till its realization, in Dispute No.341 of 2007 on 2-4-2014. This was challenged before the Co-operative Appellate Court, which has dismissed Appeal No.18 of 2014 by its judgment and order dated 5-1-2015. The recovery was of the loan amount disbursed to the petitioner along with interest.

In para 25 of the judgment of the Co-operative Court, it has been held as under :

“25. Perused documents exh.15 is loan application having a photograph of opponent no.1 and bears her signatures for loan of Rs.30,000/-. Exh.17 is an agreement executed by opponent no.1 to 3 being borrower and surety alongwith one

Rajesh Hande. Exh.18 is promissory note bears the signature of opponent no.1 to 3. Exh.16 is a receipt of receivance of loan amount bears the signature of opponent no.1. All the said documents are pertaining to the loan involved in dispute appears to be executed by the opponents in favour of disputant society.”

I have gone through the deposition of the petitioner, wherein she has admitted to have signed the document at Exhibit 16 receiving an amount of Rs.30,000/- in cash. In view of this, no interference is called for in the judgments and orders impugned in this petition.

The petition is dismissed.

Judge.