

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.7611 OF 2017  
ALONG WITH  
CIVIL APPLICATION NO.674 OF 2018  
IN  
WRIT PETITION NO.7611 OF 2017**

Vivek Madhukar Shirvalkar .. Applicant/Petitioner

Vs.

Thane Bharat Sahakari Bank Ltd. .. Respondent

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Mr.Bhavin Gada a/w Ms.Rekha Shinde & Mr.Yogendra Rajgor i/by  
M/s.Legal Chartered for the applicant/petitioner.

None for the respondent.

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**CORAM : R.D. DHANUKA, J.**

**DATE : 12<sup>th</sup> October 2018**

**P.C.:**

. Papers are allowed to be produced at 3.00 p.m.

2. By this petition filed under Article 227 of the Constitution of India, the petitioner has impugned the order dated 10<sup>th</sup> October 2016 below Exhibit-15 passed by the Co-operative Court, Thane thereby rejecting the application filed by the petitioner for production and discovery of large number of documents and also the order dated 28<sup>th</sup> February 2017 passed by the learned Member, Maharashtra State Co-operative Appellate Court, Mumbai dismissing the said appeal filed by the petitioner. Services of the petitioner were terminated by the respondent w.e.f. 10<sup>th</sup> July 2009 and the dispute was filed in the year 2015. Written statement was filed by the society thereafter. The learned Member, Maharashtra State Co-operative Appellate Court, Mumbai rejected the said appeal filed by the petitioner.

3. Learned counsel for the petitioner invited my attention to the said list submitted by the petitioner calling upon the respondent to seeking discovery and inspection of large number of documents.

4. A perusal of the list annexed at pages 74 to 78 shows that around 50 documents were sought by the petitioner. A perusal of the said list clearly indicates that none of the documents were at all relevant for the purpose of deciding the dispute filed by the petitioner. The said application filed by the petitioner was with an intention to delay the outcome of the said dispute and thus the learned Member, Maharashtra State Co-operative Appellate Court, Mumbai has rightly rejected the said appeal.

5. The petition is thoroughly misconceived and is accordingly dismissed with costs quantified at Rs.50,000/- which shall be paid by the petitioner to the respondent within two weeks from today. In view of dismissal of the writ petition, civil application does not survive and is disposed of accordingly. No order as to costs.

***R.D. DHANUKA, J.***