

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 WRIT PETITION NO.1648 OF 2016

SHIVAJI MADHAVRAO SARODE
VERSUS
MAHAVIR URBAN COOPERATIVE CREDIT SOCIETY LIMITED
THROUGH ITS MANAGER

.....
Advocate for Petitioner : Mr. Patil Vijay B.
Advocate for Respondents : Mr. Vikram A. Pawar
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CORAM : V. K. JADHAV, J.
DATED : 18th DECEMBER, 2019

PER COURT:-

1. By consent, heard finally at admission stage.
2. This dispute between the parties is pending since 2002. The respondent society has filed dispute for recovery of the loan way back in the year 2002 and the matter is still pending before the co-operative court. Even on earlier occasion while dealing with the application seeking production of documents and the order passed thereon by the court below, this Court (Coram: Ravindra V. Ghuge, J.) in writ petition No. 10127 of 2013 on 11.3.2014 in para 9 of the judgment and order has made the observations that even though all seven documents are produced before the court ultimately it is left to the trial court to consider their probative value and appreciate them after hearing the rival parties finally.
3. Learned counsel for the petitioner has vehemently submitted

that the learned Judge of the Co-operative Court has wrongly exhibited the documents which are not admissible in evidence. However, the petitioner can argue the matter before the trial court at the time of final hearing about admissibility of those documents in evidence and it is for the trial court to consider the said submission on its own merits. All points kept open.

4. The Co-operative Court shall dispose of the dispute as expeditiously as possible, preferably within a period of six months from today.

5. Writ petition is disposed of accordingly.

6. The parties shall co-operate the Co-operative Court to dispose of the matter in a time bound manner, as directed by this court.

(V. K. JADHAV, J.)

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