

THE HONOURABLE SRI JUSTICE ABHINAND KUMAR SHAVILI
WRIT PETITION No.8092 of 2018

ORDER:

When the matter is taken up for hearing, learned counsel appearing for the petitioner had contended that the petitioner has taken loan from the 3rd respondent and the petitioner has paid the entire loan amount. In spite of the same, the 3rd respondent is not releasing the documents in favour of the petitioner. Therefore, learned counsel had contended that appropriate orders be passed in the writ petition directing the 3rd respondent to release the documents, as the petitioner has paid the entire loan amount.

2. Learned counsel appearing for the 3rd respondent had contended that since an enquiry under Section 51 of the Cooperative Societies Act is being conducted, the 3rd respondent Society is not in a position to release the documents.

3. This Court, having considered the rival submissions made by the learned counsel for the respective parties and also the aspect that the petitioner has admittedly paid the entire loan amount, is of the considered view that this writ petition can be disposed of directing respondent Nos.2 and 3 to release the documents in favour of the petitioner, within four weeks from the date of receipt of a copy of this order.

4. With these observations, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J