

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.449 of 2009

***The Management of M/s. Baidyarajpur* *Petitioner*
Kansa Pital Sahajog Samiti Limited**

Mr. Dinabandhu Nayak, Advocate

-versus-

***Sri Basudev Behera* *Opposite Party*
None**

**CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK**

**ORDER
23.02.2022**

Order No.

03. 1. The challenge in the present petition is to an order dated 30th September, 2003 of the Co-Operative Tribunal, Orissa (Tribunal) allowing the appeal filed by the Opposite Party against an order passed by the DCIO-cum-DRCS, DIC, Jagatpur in Dispute Case No.43/1999-2000 whereby the case was allowed in part and the Opposite Party was asked to pay the Petitioner-Society Rs.10,160.37/- which includes the principal sum of Rs.5908.35/- and interest @ 18% per annum to the Society.
2. By the impugned order, the Tribunal held that the Court below had not recorded a brief memorandum of evidence of the parties as required under Rule 78 of the Orissa Co-operative Societies Rules, 1965 and that except for an audit report there was no material to show that the Society sustained loss on account of the laches of the Opposite Party or that he misappropriated any amount.

3. On perusing the impugned order as well as the petition, the Court is of the view that the impugned order does not call for any interference and the amount involved is also not substantial to warrant such interference. The writ petition is accordingly dismissed. An urgent certified copy of this order be issued as per rules.

(Dr. S. Muralidhar)
Chief Justice

(R. K. Pattanaik)
Judge

S.K. Guin

