

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

WRIT PETITION NO. 5097 OF 2024

Dilipkumar Ramchandra Dhanve ...Petitioner
Versus
Jijamata Mahila Nagari Bigarsheti
Sahkari Patsanstha And Ors ...Respondents

....

Mr. Purushottam Gopal Chavan, for the Petitioner.

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CORAM : AVINASH G. GHAROTE, J.
DATE : 12th JULY, 2024

P.C.:

1. The petition questions the Judgment dated 27.09.2018, by the Co-opertative Court (page 22) which has been confirmed by the learned Appellate Court by Judgment dated 15.12.2022, by which an award has been passed in favour of the Respondent, for recovery of money due and payable.

2. Though the petitioner, was duly served the witnesses of the respondent society, were neither cross examined nor any witnesses examined by the petitioner, resulting in that award. It is contended, that the original loan which was of the year 2006 to the tune of Rs. 3,00,000/- lakhs, though was cleared in 2011,

the proceedings have been filed in 2017 for its recovery. The document at page 41 (item no. 13) is been relied upon for demonstrating that the loan with the respondent was cleared.

3. Issue notice for final disposal at the stage of admission itself, returnable on 25.07.2024.

4. Since the Appellate Court, has dismissed the appeal hence this Revision. The learned counsel for the petitioner in order to show his bonafide is willing to deposit an amount of Rs. 5,00,000/- within period of 10 days from today, accepting this statement which is made by the learned counsel for the petitioner upon instructions of the petitioner who is present in the Court, the execution of the Award dated 27.09.2018, passed by the Co-operative Court shall stand stayed till 24.07.2024.

5. List the matter on 25.07.2024.

(AVINASH G. GHAROTE, J.)