



CNR No.MHCA010002472025

THE MAHARASHTRA STATE CO-OPERATIVE APPELLATE COURT,
MUMBAI

(Before A. S. Wanve, Member-2)

A.O. No.87 of 2025

Mr. Firdaus D. Mehta & another

.... Appellants

Vs.

Strand CHS Ltd.

.... Respondent

ORDER BELOW EXH.9

(Dictated and pronounced on 04th May, 2026)

1) This is an application filed by the respondent for production of documents i.e. copy of Maharashtra Electric Vehicle Policy 2025 and photocopy of letter issued by M/s. Punit Car Pvt. Ltd., authorised dealer of TATA Motors.

2) This application is strongly objected by the respondent society on the grounds more specifically mentioned in reply Exh.10 mainly on the ground that the documents annexed to the application cannot be termed as relevant documents. It appears that, the respondent is attempting to rely on and insert the documents which were not produced by the respondent in the trial court before and during the hearing of the Exh-5 of the appellant and these documents were never produced before the Ld. Trial Court at the time of passing of the order. It is submitted that, the disputant had filed the dispute on 04/04/2025 and after service of summons the respondent had filed its affidavit in reply in the dispute on 09/05/2025. Thereafter, the appellant had filed its rejoinder on 10/06/2025 and the respondent also had filed written statement on

10/06/2025. Thereafter, on 10/07/2025 the respondent had also preferred an application along with documents in the dispute. The matter was closed for order on 14/08/2025, 15/09/2025, 29/09/2025, 03/10/2025, 08/10/2025 and 30/10/2025. During this period the respondent never thought about producing the directives of 23/05/2025 and the information dated 12/08/2025. Hence, respondent cannot be permitted to improve its case beyond its pleadings that too at the appellate stage. There is no whisper about why the respondent could not produce the documents mentioned in the list before Ld. Trial Court. Also, there are neither specific prayers in the application sought for and it is beyond the scope of pleadings nor it is clear that what the respondent wants by this application and the judicial discipline warrants requires to be followed before allowing such kind of application. Therefore, respondent cannot be allowed to produce and rely upon new document at the appellate stage in order to influence the outcome of the appeal. The lacuna on the part of the respondent which may be deliberate or otherwise amounts to and absolute abused of the process of law. Hence, application deserved to be dismissed with cost.

3) Heard Ld. Advocate for appellant and Ld. Advocate for respondent society at length.

4) Document No.1 is the Government resolution No.MVR-0125/C.R.13/Tra-2 dated 23/05/2025 issued by Government of Maharashtra, Home Department i.e. Maharashtra Electric Vehicle Policy

2025. document No.2 is the copy of letter issued by authorised dealer of TATA Motors dated 12/08/2025. by this letter the dealer informed the charging time of the car.

5) The document No.1 is the Government resolution issued by the State Government. Hence, the court has to take judicial note of this government resolution therefore, its production is necessary to be allowed and document No.2 is the opinion given by the expert. In my view both these documents are necessary to be on record for proper adjudication of all questions in controversy between the parties. Accordingly, I proceed to pass following order.

ORDER

Application at Exh.9 is allowed and the copies of documents filed along with Exh.9 are taken on record.

Mumbai
04th May, 2026

(A.S. Wanve)
Member-2,
Mah. State Co-operative Appellate Court,
Mumbai

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT /ORDER.”

04/05/2026
UPLOAD DATE

(A.S. SAWANT)
NAME OF STENOGRAPHER

Name of the Judge (with Court Room No.)	Shri. A. S. Wanve (C.R. No.2) Member-2
Date of pronouncement of Judgment/Order	04/05/2026
Order signed by P.O. on	04/05/2026
Order uploaded on	04/05/2026