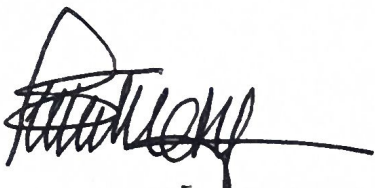


**Common Order below Exh.22, 24 and 28 in CC/ I/151/2023**  
**(Leeladhar Udyavar Vs. Kakadpunj CHSL)**

1. This is an application for filing additional documents in support of contempt application filed under Order 7 Rule 14 read with order 13 Rule 1 of CPC by disputant. Disputant submitted that he filed contempt application and wishes to file the additional documents along with his contempt application. By filing application below Exh. 22, 24 and 28 the disputant wishes to file additional documents to support his contempt application filed below Exh. 19. As the above 3 applications are pertaining to same relief hence to avoid repetition of facts above 3 applications are decided together.
2. Below Exh. 30 opponent society filed reply and denied the application and submitted that disputant's application for filing additional documents are false, frivolous, fractious and bad in law. Disputant deliberately misrepresented the court. After passing interim order the opponent society refrained from levying interest and penalty to the maintenance bills. The disputant has been time and again reached out by opponent society to meet the managing committee and understand the calculations towards maintenance bills but the disputant on purpose never came before managing committee to understand the calculations and is creating unnecessary paper trails. This conduct of disputant itself shows that conduct of disputant with opponent society and attaching maintenance bills to present application displays high handedness and ill-intention of the disputant to mislead the court. The application is improper hence liable to be rejected.
3. Perused the application and heard both the advocates at length. Below Exh. 19 disputant filed Application under section 151 of the CPC read with Section 2 and 12 of the Contempt of Courts Act. On



9/10/2023 thereafter subsequently on 18/12/2023, 12/03/2024 and on 01/08/2024 disputant filed 3 applications for filing additional evidence in support of his contempt application. It is submission of disputant that as per order below Exh. 5 the opponent society is restrained from implementing and acting upon the resolution regarding recovery of monetary loss passed in Special General Body Meeting dtd. 15/10/2022 and Annual General Body Meeting dtd. 11/10/2022. The opponent society is also restrained from recovering amount of Rs.13,43,722/- along with interest till the final disposal of dispute. But in contempt of the above interim order the opponent society continued to issue the maintenance bills. Hence disputant filed contempt application below Exh. 19.

4. To support the contentions in the applications, disputant wants to produce the minutes of meeting dtd. 05/08/2023, true copies of communications made by disputant with the opponents, copies of disputant's application and enquiry report, copies of maintenance bills and communication made by disputant with the society. Copies of maintenance bills issued by society and communications with disputant and opponent society are important documents for deciding the application below Exh. 19. Yet the application below Exh. 19 is not decided. For proper adjudication of the matter it is necessary to go through the documents. Further in the say the opponent society nowhere denies these documents and already argued in detail on the documents produced by the disputant. Hence if the documents taken on record no prejudice will be caused to opponent society. On contrary, the documents will certainly help to arrive at conclusion pertaining to application below Exh. 19. Though the documents are already referred by both parties during arguments, however the production of additional documents is allowed today. Hence, in the interest of justice it will be proper to give an

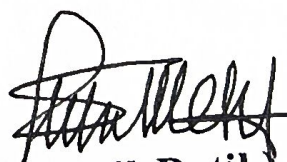


Re Exh  
Opportunity to both parties to argue Exh. 19 pertaining to additional documents only. Therefore, I proceed to pass following order:-

**ORDER**

1. Application below Exh. 22,24 and 28 are hereby allowed.
2. Permission to produce additional documents produced below Exh. 22, 24 and 28 is hereby granted to the disputant.
3. Both parties to take a note that above documents will be taken into consideration while deciding the application below Exh. 19.
4. Both parties are directed to argue Exh. 19 pertaining to additional documents only.

**Date : 01/04/2025**

  
( S.V.Metil-Patil ) 1.4.25  
Judge,  
Co-operative Court No.1,  
Mumbai.