

In the Court of Judge, Co-operative Court Thane at Thane
(Presided over by Smt. S. K. Tonpe, Judge)

Dispute No. CCT 84/2023
CNR No. MHCO04-000084-2023

Dr. Suneel Deshpande

Disputant

V/S

Pushkaraj Praasad CHS Ltd.

Opponent

Order
(Below application Exh. 14)

1. The present application is filed by the disputant for passing “no say” order to Exh. 8 against the opponent. The disputant stated that he has filed application for stay at Exh. 8 on 21/10/2023 which has been received on same day by the opponent. However no any reply is filed by the opponent to Exh. 8 till today. It is necessary to hear the application urgently as the disputant is being charged fine without due process of law. Hence prayed that “no say” order to Exh. 8 be passed and the matter at Exh. 8 be kindly heard in the interest of justice.

2. The opponent society filed reply on the application itself and submitted that written reply submitted.

3. After hearing both the parties and perusing the documents on record following points arise for my consideration.

Sr. No.	Points	Findings
1	Whether the application is entitled to be allowed ?	In the negative
2	What order ?	As per final order

REASONS**AS TO POINT NO. 1 AND 2**

4. Perused application, say, proceeding, documents on record. It appears that the disputant have filed present application to pass “no say” order against opponent on application below Exh. 8. The opponent filed reply on Exh. 8 today. The purpose of the disputant to file present application is served. Hence in the interest of justice and to decide the case on merits I answer point no. 1 in negative and in answer to point no. 2 I pass the following order.

Order

1. Application at Exh. 14 is rejected.

Sd/-

Place : Thane

Date : 20 / 01 / 2024

(Smt. S. K. Tonpe)

Judge

Co-operative Court, Thane