

In the Court of Judge, Cooperative Court No. 1, Pune, At Pune, Dist. Pune
(Before Shri S. V. Suryawanshi, Judge)

Dispute No.7/2012

Shri. Chatrapati Sahakari Sakhar Karkhana Ltd.

Bhavaninagar, Taluka Indapur, Dist. Pune

Through Managing Director Shri. Ramakant Suryakant Naik

Disputant

Vs.

M/s. Sanjay Trading Company

Opponent

Order below exh.21

(Passed on 24.06.2016)

1] Disputant has filed this application for permission to lead secondary evidence of delivery order which is on the letter head of the Opponent Society. As per the Disputant; as per the delivery order Disputant has supplied the sugar to the Opponent. Those delivery (Challan) orders were received by the Disputant by fax. As the fax is printed upon the thermal paper; its ink gets derogated. The originals are with the Opponent. Disputant has issued notice to the Opponent. The opponent has received the same on 10.06.2016. In spite of this, Opponent failed to produce, hence permission be granted to lead secondary evidence of those delivery orders.

2] Opponent filed reply and strongly opposed this application on various rounds. As per Opponents, details of the documents are not given. Certificate as required under I.T. Act is not furnished & the documents are not duly proved. Hence application be rejected.

3] Heard both the advocates. Perused application, reply as well as entire record. This application is for permission to lead the secondary evidence of delivery order on the basis of which Disputant has alleged to have supplied the sugar. As per the Disputant Karkhana delivery order are issued by the Opponent by fax on its own letter pad. Those documents are filed at Sr. No. 8 & 9 of exh. 19. The documentary evidence i. e. acknowledgement filed on today is sufficient proof of notice given to the Opponents. Merely exhibiting the documents by admitting in the evidence will not dispense the disputant from the burden of proof. Hence I pass the following order. Hence I pass following Order.

Order

1] This Application stands allowed.

2] Costs in cause.

Place: Pune

Date: 24.06.2016

(S. V. Suryawanshi)
Judge
Co-operative Court No.1 Pune

In the Court of Judge, Cooperative Court No. 1, Pune, At Pune, Dist. Pune
(Before Shri S. V. Suryawanshi, Judge)

Dispute No.10/2012

Shri. Chatrapati Sahakari Sakhar Karkhana Ltd.

Bhavaninagar, Taluka Indapur, Dist. Pune

Through Managing Director Shri. Ramakant Suryakant Naik

Disputant

Vs.

M/s. Abhishek Enterprises

Opponent

Order below exh.18

(Passed on 24.06.2016)

1] Disputant has filed this application for permission to lead secondary evidence of delivery order which is on the letter head of the Opponent Society. As per the Disputant; as per the delivery order Disputant has supplied the sugar to the Opponent. Those delivery (Challan) orders were received by the Disputant by fax. As the fax is printed upon the thermal paper; its ink gets derogated. The originals are with the Opponent. Disputant has issued notice to the Opponent. The opponent has received the same on 10.06.2016. In spite of this, Opponent failed to produce, hence permission be granted to lead secondary evidence of those delivery orders.

2] Opponent filed reply and strongly opposed this application on various rounds. As per Opponents, details of the documents are not given. Certificate as required under I.T. Act is not furnished & the documents are not duly proved. Hence application be rejected.

3] Heard both the advocates. Perused application, reply as well as entire record. This application is for permission to lead the secondary evidence of delivery order on the basis of which Disputant has alleged to have supplied the sugar. As per the Disputant Karkhana delivery order are issued by the Opponent by fax on its own letter pad. Those documents are filed at Sr. No. 8 & 9 of exh. 12. The documentary evidence i. e. acknowledgement filed on today is sufficient proof of notice given to the Opponents. Merely exhibiting the documents by admitting in the evidence will not dispense the disputant from the burden of proof. Hence I pass the following order. Hence I pass following Order.

Order

1] This Application stands allowed.

2] Costs in cause.

Place: Pune

Date: 24.06.2016

(S. V. Suryawanshi)
Judge
Co-operative Court No.1 Pune

In the Court of Judge, Cooperative Court No. 1, Pune, At Pune, Dist. Pune
(Before Shri S. V. Suryawanshi, Judge)

Dispute No.12/2012

Shri. Chatrapati Sahakari Sakhar Karkhana Ltd.

Bhavaninagar, Taluka Indapur, Dist. Pune

Through Managing Director Shri. Ramakant Suryakant Naik

Disputant

Vs.

Shri. Mahalaxmi Trading

Opponent

Order below exh.31

(Passed on 24.06.2016)

1] Disputant has filed this application for permission to lead secondary evidence of delivery order which is on the letter head of the Opponent Society. As per the Disputant; as per the delivery order Disputant has supplied the sugar to the Opponent. Those delivery (Challan) orders were received by the Disputant by fax. As the fax is printed upon the thermal paper; its ink gets derogated. The originals are with the Opponent. Disputant has issued notice to the Opponent. The opponent has received the same on 10.06.2016. In spite of this, Opponent failed to produce, hence permission be granted to lead secondary evidence of those delivery orders.

2] Opponent filed reply and strongly opposed this application on various rounds. As per Opponents, details of the documents are not given. Certificate as required under I.T. Act is not furnished & the documents are not duly proved. Hence application be rejected.

3] Heard both the advocates. Perused application, reply as well as entire record. This application is for permission to lead the secondary evidence of delivery order on the basis of which Disputant has alleged to have supplied the sugar. As per the Disputant Karkhana delivery order are issued by the Opponent by fax on its own letter pad. Those documents are filed at Sr. No. 8 & 9 of exh. 25. The documentary evidence i. e. acknowledgement filed on today is sufficient proof of notice given to the Opponents. Merely exhibiting the documents by admitting in the evidence will not dispense the disputant from the burden of proof. Hence I pass the following order. Hence I pass following Order.

Order

1] This Application stands allowed.

2] Costs in cause.

Place: Pune

Date: 24.06.2016

(S. V. Suryawanshi)
Judge
Co-operative Court No.1 Pune

In the Court of Judge, Cooperative Court No. 1, Pune, At Pune, Dist. Pune
(Before Shri S. V. Suryawanshi, Judge)

Dispute No.9/2012

Shri. Chatrapati Sahakari Sakhar Karkhana Ltd.

Bhavaninagar, Taluka Indapur, Dist. Pune

Through Managing Director Shri. Ramakant Suryakant Naik

Disputant

Vs.

Lalwani Roadways

Pune – 42

Opponent

Order below exh.20

(Passed on 24.06.2016)

1] Disputant has filed this application for permission to lead secondary evidence of delivery order which is on the letter head of the Opponent Society. As per the Disputant; as per the delivery order Disputant has supplied the sugar to the Opponent. Those delivery (Challan) orders were received by the Disputant by fax. As the fax is printed upon the thermal paper; its ink gets derogated. The originals are with the Opponent. Disputant has issued notice to the Opponent. The opponent has received the same on 10.06.2016. In spite of this, Opponent failed to produce, hence permission be granted to lead secondary evidence of those delivery orders.

2] Opponent filed reply and strongly opposed this application on various rounds. As per Opponents, details of the documents are not given. Certificate as required under I.T. Act is not furnished & the documents are not duly proved. Hence application be rejected.

3] Heard both the advocates. Perused application, reply as well as entire record. This application is for permission to lead the secondary evidence of delivery order on the basis of which Disputant has alleged to have supplied the sugar. As per the Disputant Karkhana delivery order are issued by the Opponent by fax on its own letter pad. Those documents are filed at Sr. No. 8 & 9 of exh. 14. The documentary evidence i. e. acknowledgement filed on today is sufficient proof of notice given to the Opponents. Merely exhibiting the documents by admitting in the evidence will not dispense the disputant from the burden of proof. Hence I pass the following order. Hence I pass following Order.

Order

1] This Application stands allowed.

2] Costs in cause.

Place: Pune

Date: 24.06.2016

(S. V. Suryawanshi)
Judge
Co-operative Court No.1 Pune

In the Court of Judge, Cooperative Court No. 1, Pune, At Pune, Dist. Pune
(Before Shri S. V. Suryawanshi, Judge)

Dispute No.11/2012

Shri. Chatrapati Sahakari Sakhar Karkhana Ltd.

Bhavaninagar, Taluka Indapur, Dist. Pune

Through Managing Director Shri. Ramakant Suryakant Naik

Disputant

Vs.

Vijay Trading Corporation

Pune – 2

Opponent

Order below exh.19

(Passed on 24.06.2016)

1] Disputant has filed this application for permission to lead secondary evidence of delivery order which is on the letter head of the Opponent Society. As per the Disputant; as per the delivery order Disputant has supplied the sugar to the Opponent. Those delivery (Challan) orders were received by the Disputant by fax. As the fax is printed upon the thermal paper; its ink gets derogated. The originals are with the Opponent. Disputant has issued notice to the Opponent. The opponent has received the same on 10.06.2016. In spite of this, Opponent failed to produce, hence permission be granted to lead secondary evidence of those delivery orders.

2] Opponent filed reply and strongly opposed this application on various rounds. As per Opponents, details of the documents are not given. Certificate as required under I.T. Act is not furnished & the documents are not duly proved. Hence application be rejected.

3] Heard both the advocates. Perused application, reply as well as entire record. This application is for permission to lead the secondary evidence of delivery order on the basis of which Disputant has alleged to have supplied the sugar. As per the Disputant Karkhana delivery order are issued by the Opponent by fax on its own letter pad. Those documents are filed at Sr. No. 8 & 9 of exh. 13. The documentary evidence i. e. acknowledgement filed on today is sufficient proof of notice given to the Opponents. Merely exhibiting the documents by admitting in the evidence will not dispense the disputant from the burden of proof. Hence I pass the following order. Hence I pass following Order.

Order

1] This Application stands allowed.

2] Costs in cause.

Place: Pune

Date: 24.06.2016

(S. V. Suryawanshi)
Judge
Co-operative Court No.1 Pune

In the Court of Judge, Cooperative Court No. 1, Pune, At Pune, Dist. Pune
(Before Shri S. V. Suryawanshi, Judge)

Dispute No.8/2012

Shri. Chatrapati Sahakari Sakhar Karkhana Ltd.

Bhavaninagar, Taluka Indapur, Dist. Pune

Through Managing Director Shri. Ramakant Suryakant Naik

Disputant

Vs.

M/s Rahul Sugar, Shop No. 2,

457/458 Shivdarshan Chamber, Market Yard,

Gultekadi, Pune – 411 037

Prop. Rahul Jayprakash Lalwani

Opponents

Order below exh.19

(Passed on 24.06.2016)

1] Disputant has filed this application for permission to lead secondary evidence of delivery order which is on the letter head of the Opponent Society. As per the Disputant; as per the delivery order Disputant has supplied the sugar to the Opponent. Those delivery (Challan) orders were received by the Disputant by fax. As the fax is printed upon the thermal paper; its ink gets derogated. The originals are with the Opponent. Disputant has issued notice to the Opponent. The opponent has received the same on 10.06.2016. In spite of this, Opponent failed to produce, hence permission be granted to lead secondary evidence of those delivery orders.

2] Opponent filed reply and strongly opposed this application on various rounds. As per Opponents, details of the documents are not given. Certificate as required under I.T. Act is not furnished & the documents are not duly proved. Hence application be rejected.

3] Heard both the advocates. Perused application, reply as well as entire record. This application is for permission to lead the secondary evidence of delivery order on the basis of which Disputant has alleged to have supplied the sugar. As per the Disputant Karkhana delivery order are issued by the Opponent by fax on its own letter pad. Those documents are filed at Sr. No. 8 & 9 of exh. 14. The documentary evidence i. e. acknowledgement filed on today is sufficient proof of notice given to the Opponents. Merely exhibiting the documents by admitting in the evidence will not dispense the disputant from the burden of proof. Hence I pass the following order. Hence I pass following Order.

Order

1] This Application stands allowed.

2] Costs in cause.

Place: Pune

Date: 24.06.2016

(S. V. Suryawanshi)
Judge
Co-operative Court No.1 Pune