



BEFORE K. R. ADAKE, PRESIDING OFFICER,
FIRST LABOUR COURT, KOLHAPUR.
(JO CODE-MH-2980)

REFERENCE (IDA) NO.12/2017
(CNR NO : MHLC09-000020-2017)

Shetakari Sahakari Sangh Ltd.,
Old Rajwada, Bhawani Mandap,
Kolhapur

... First Party

And

Shri. Gundu Ravaji Bhuembar
R/o. 1028/2, Plot No. A-1,
Radhakrushnanagar, Kalamba Washi,
Ring Road, Kolhapur.

... Second Party

ORDER BELOW EXH.U-12
(Passed on : 20/02/2023)

1. This is an application filed by the Second Party Advocate for calling documents from the First Party. The First Party Advocate has filed reply at Exh.C-17 and thereby resisted an application.

2. Heard Adv. B. B. Powar for the Second Party and Adv. A. D. Patil for the First Party. I have gone through record of proceeding. By way of present application, the Second Party has demanded Model Standing Order applicable to the First Party and sanctioned

Nokarnama taken from the Co-operative Department. The First Party advocate while arguing the matter has submitted that the First Party has filed copy of Model Standing Order applicable to the First Party along with say. The First Party however, has taken Nokarnama from their employees as per the provisions of The Maharashtra Co-operative Societies Act, 1960. The said Nokarnama was kept with the First Party. It is not binding on the First Party to take sanction from the Co-operative Department for the said Nokarnama. The First Party advocate has relied upon Section 107 B of the Maharashtra Co-operative Societies Act, 1960.

3. On perusal of the Section 107 B which reflects that the heading of that Section is, "Security to be furnished by officers and employees of societies handling cash etc." According to said Section, "Every officer or employee of a society who is require to handle cash securities or property belonging to the society, [shall furnish security which shall not be less than that shown as under]. Considering the provision of Section 107B of Maharashtra Co-operative Societies Act, 1960 and submission of Adv. A.D.Patil for the First Party, I am of the opinion that so far as demand of Second Party in respect of sanctioned Nokarnama is concerned, as the First Party specifically submitted that

... 3 ...

they have not taken sanction or registered Nokarnama from the competent authority of Co-operative Department, I do not find any substance in the demand of Second Party so far as sanctioned Nokarnama is concerned. So far as demand of Second Party in respect of Model Standing Order is concerned, the First Party has filed the same along with the say and therefore question of direction to First Party in respect of Model Standing Order and sanctioned Nokarnama does not arise at all. Hence, I proceed to pass following order.

ORDER

- (i) Application at Exh. U-12 is rejected
- (ii) No order as to costs.

Kolhapur.
Dated : 20/02/2023

(K. R. Adake)
Presiding Officer,
First Labour Court, Kolhapur