

MHSN030024002022	<u>ORDER BELOW EXH. 29 IN SCC NO. 1464/2022</u>
	Bhagyoday Nagari Sahakari Patsanstha Ltd. Sangli. Thr. Secretary, Dilshad Rajekhan Tamboli Vs. Rajebakshar Akbar Mulla

The present application is filed for exhibiting documents.

2. Perused the application and no say filed by the accused.
Heard Ld. Advocate for the complainant.

3. I have perused entire record. It appears from the record that, the complainant in his evidence affidavit referred all the documents and sought exhibition of those document so that those documents may be read in evidence. In this respect, I have to go through all the documents so that those documents can be exhibited and read in evidence. Accordingly, after perusal of all the documents on record, I pass specific order in respect of each and every document on record as under-

4. The complainant vide list of document below Exh.2/1 filed original cheque no. 000004 dated 21.04.2022 issued by the accused. It bears the signature of the accused. Therefore, it is marked as **exhibit no. 31**.

5. The complainant vide list of document below Exh.2/2 filed original copy of cheque return memo dated 06.06.2022. It bears

sealed and signature of the bank. Therefore, it is marked as **exhibit no. 32.**

6. The complainant vide list of document below Exh.2/3 filed original copy of cheque deposit challan dated 06.06.2022. It bears sealed and signature of the bank. Therefore, it is marked as **exhibit no. 33.**

7. The complainant vide list of document below Exh.2/4 filed office copy of demand notice dated 15.06.2022 issued to the accused. It bears the signature of its advocate. Therefore, it is marked as **exhibit no. 34.**

8. The complainant vide list of document below Exh.2/5 filed original copy of postal receipt. Therefore, it is marked as **exhibit no. 35.**

9. The complainant vide list of document below Exh. 2/6 filed an original returned envelope along with original demand notice with a remark for returned not claimed. Therefore, it is marked as **exhibit no. 36.**

10. The complainant vide list of document below Exh.2/7 and 2/8 filed a loan account statement and saving account bank statement of the accused maintained with the complainant society. It bears the seal and signature of secretary of the complainant society.

However, the document at Exh. 2/7 bears the certificate of truthfulness of entries in it and the document at Exh.2/8 does not bear the certificate under section 65/B of the Indian Evidence Act. Therefore, the document at Exh. 2/7 is marked as **exhibit no. 37** and the other document is marked as **Article 'A'** respectively.

11. The complainant vide list of document below Exh.2/9 filed verified copy of resolution passed by the complainant society on 30.06.2022. It bears sealed and signature of authorised person of complainant. Therefore, it is marked as **exhibit no. 38**.

12. The complainant vide list of document below Exh.2/10 filed verified copy of notarized affidavit of the accused. The reason for non filing of original document is not mentioned. Therefore, secondary evidence is not exhibited and marked as **Article 'B'**.

13. The complainant vide list of document below Exh.11/1 filed original copy of resolution passed by the complainant society on 30.04.2024. It bears sealed and signature of authorised person of complainant. Therefore, it is marked as **exhibit no. 39**.

14. The complainant vide list of document below Exh.26/1 filed original copy of resolution passed by the complainant society on 15.04.2024. It bears sealed and signature of authorised person of complainant. Therefore, it is marked as **exhibit no. 40**.

15. The complainant vide list of document below Exh.28/1 and 28/2 are filed verified copy of judgment and decree in Co. Operative Case no. 453/2023 dated 02.02.2024. Therefore, these documents are marked as **exhibit no. 41 and 42 respectively**.

In view of above reason and order above documents are not only exhibited but also read in evidence subject to the cross examination by the accused.

Place : Sangli.
Date : 30.01.2026.

(Rohini S. Patil)
Judicial Magistrate First Class,
(Court no.1), Sangli.

-: CERTIFICATE :-

“I affirms that the contents of this P.D.F. Judgment order are same word for word as per original Judgment”.

Name of Stenographer	: Shri. S. A. Jamadar
Name of the court	: J.M.F.C., (Court No. 01), Sangli.
Date	: 30/01/2026
Order signed by presiding officer on	: 30/01/2026
Order uploaded on	: 30/01/2026