

MHPA110005692016



ORDER BELOW EXH. 01 IN
REGULAR DARKHAST No. 22/2016

Gangakhed Sugar V/s Prakash

01] Perused record.

02] Today matter is on board. Matter called out twice. But, decree holder as well as its learned Advocate are absent. No application on record.

03] This proceeding has been filed on 01/10/2016 for execution of judgment and decree passed in Regular Civil Suit No.141/2012. By order dated 18/02/2022 passed below Exh.13 attachment warrant is ordered to be issued for attachment of properties owned by judgment debtor. Since that date matter is pending for supply of list of articles to be attached. But, till today no positive steps on its count. Therefore, by order dated 30/06/2025 passed below Exh.1, it was ordered to supply list of articles to be attached. In-spite of that, it has failed to take necessary steps.

04] On 06/11/2025 learned Advocate for decree holder filed application at Exh.14 for reissuance of attachment warrant. At that time this Court made query to him as to maintainability of application without supplying list of properties or things to be attached. At that time he made submission that, he is lacking knowledge to that effect. As contemplated under Order XXI Rule 13 of the Code of Civil Procedure, description of properties to be attached was lacking in the application. Therefore, said application is came to be rejected and

decree holder was ordered to take necessary steps in compliance of legal provisions and mandate.

05] In-spite of order dated 30/06/2025 and 06/12/2025 decree holder is failed to take necessary steps to proceed with the matter. On 17/01/2026, 07/02/2026, 07/03/2026, 04/04/2026, 02/05/2026 and today opportunity has been given to decree holder to comply with order dated 06/12/2025 passed below Exh.1. But, for the reasons best known to him, he has failed to do needful. Admittedly, matter is of 2016. More than sufficient opportunity is given to him. But, he is failed to avail the same. In these circumstances, there is no good reason to keep the matter pending again and again on same stage. Hence, following order:

ORDER

Regular Darkhast is hereby dismissed in default.

Date:- 02/07/2026.

(Pankaj M. Bidada)
Jt. C.J.S.D., Gangakhed.