

:- ORDER BELOW EXH.-1 :-

Matter called out several time. None present on behalf of applicant. Present Execution Petition was instituted on 14.11.2025. On perusal of the record, it appears that the matter was fixed for warrant of attachment from long time and more than six months has been elapsed after filing the present Execution Petition. Therefore, this facts revealed that applicant is not interested in prosecuting the present Execution Petition. The Hon'ble Supreme Court of India in the case of **Rahul S. Shah Vs. Jinendra Kumar Gandhi & Ors., reported in (2021) 6 SCC 418**, observed that

42. All Courts dealing with suits and execution proceedings shall mandatorily follow the below mentioned directions: -

2. The Executing Court must dispose of the Execution Proceedings within six months from the date of filing, which may be extended only by recording reasons in writing for such delay."

This means that it becomes the duty of the Execution Court to dispose of the execution proceedings at the earliest and since this Court has directed that the Execution Court must dispose of the execution proceedings within six months from the date of filing, which can be extended only by recording reasons in writing for such delay, this direction is meant to be observed. This would mean that every effort should be made to dispose of the execution petition within the said time limit and the Execution Court should have reasons for not being able to dispose of the execution petition. The Execution Court is duty bound to record reasons in writing when it is unable to dispose of

the matter. Hence, present Execution Petition is hereby dismissed for default.

Pronounced and signed all the pages of this order in open Tribunal today on this 21st day of July - 2026.

Date : 21/07/2026

Place : Jamnagar.

Umesh

(Vijay Premchand Agrawal)

M.A.C.T. [AUXI.] &

02nd Additional District Judge,
Jamnagar, UIC No.GJ00689