

MHAH170000182025



**ORDER BELOW EXH. 16**

By way of present application, the D.H. seeking for issuance of attachment warrant against the J.D. no. 1 and 2.5 for recovery of Rs.1,25,260/-. The applicant submitted that, the J.D. no. 1 and 2.5 failed to deposit the amount as per the order. Hence, application deserves to be allowed.

2. Matter proceeded *ex-parte* against the J.D. no.1 and 2.5.

3. Heard Ld. Counsel for applicant. Perused the record. In the Court 2<sup>nd</sup> Civil Judge Junior Division, Rahata by order dated 26/11/2024 in RCS No. 348 of 2021 pleased to direct the J.D. no. 1 to pay Rs. 50,000/- while the defendant no. 2.1 to 2.12 jointly directed to pay Rs. 50,000/-. Even the defendants directed to pay interest at the rate of 6 % p.a. since the institution of suit till the date of decree.

4. In above order, the liability of defendant no. 1 and 2.5 are found severally. Still the applicant seems to be requested to issue recovery warrant of Rs. 2,25,260/- jointly against these judgment debtors. Importantly the Ex. 1 also found with prayer for jointly recovery of due amount. The decree holder never shown the calculation and in absence a recovery warrant as claim cannot be passed. Hence, application is rejected with liberty to file the application seeking appropriate amount against each J.D. no. 1 and J.D. 2.5 along with appropriate calculation.

Date : 07.04.2026

Place : Rahata

(Santosh R. Bharad)

**2nd Jt. Civil Judge (J.D.), Rahata**

**CERTIFICATE**

“I affirm that the contents of this P. D. F. File of order is word to word as per original order.”

Name of Stenographer : S. D. Kapse.

**ENDORSEMENT**

Case argued on	:	07.04.2026
Order dictated on	:	07.04.2026
Transcription ready on	:	07.04.2026
Order Checked and signed on	:	07.04.2026