

MHAH170029462017



COMMON ORDER BELOW EXH. 20 & 22

By way of the present application, the decree-holders sought for issuance of possession warrant for possession of the decreed property as well as appoint the land record officer as court commissioner.

02. The decree-holders submitted that in view of the judgment and decree in RCS 250 of 2012 dated 04.02.2017 for possession of land at Gut no. 313.

03. The judgment debtors duly served with notice still remained absent. (See report at Ex 5 &6).

04. It is clear that by judgment and decree in RCS 250/2012 the defendant no. 1 to 7 (judgment debtor no. 1 to 7) was directed to deliver the possession of land at Gut no. 313 within one month from the date of order. But as judgment debtors failed to do so, the decree-holders are entitled to recover the same by possession warrant from this court. Therefore, no reason to reject the prayer of the applicants. Hence, applications deserves to be allowed. Accordingly, I pass the following order;

ORDER

- 1] The application is allowed.
- 2] Issue possession warrant under Order XXI Rule 35 of the Code of Civil Procedure for possession of the decreed property.
- 3] The Deputy Superintendent of Land Record (D.S.L.R.), Rahata is appointed as commissioner for facilitating the identification of decreed portion and proper execution of possession warrant by the officer of court.

Rahata
Date :- 05/08/2025

(Santosh R. Bharad)
2nd Jt. C.J.J.D.-2, 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	:	05/08/2025
Order dictated on	:	05/08/2025
Transcription ready on	:	05/08/2025
Order Checked and signed on	:	05/08/2025