



ORDER BELOW EXH.NO.25

1) D. H. filed present application for compliance of order passed below Exh.14 by issuing notice to J.D. and provisions of Order-XXI, Rule 54(1), (1-A) and (2) of the Code of Civil Procedure, 1908. Say of J.D. is called out but J.D's. and their advocates are absent.

2) Perused order passed below Exh.14. My learned predecessor passed order stating that there is entry relating to encumbrance of decree holder to the tune of Rupees Four Crores. Such 7/12 extracts are filed at Exh.24. It is ordered that said properties are attached and J.D's. are prohibited from transferring or charging the properties in any way and all persons from taking any benefit from such transfer or charge. So also as per Order-XXI, Rule 54 (1-A) of C.P.C. J.D's. are directed to appear on 25.04.2022 for settling the terms of proclamation of sale and to issue notice to J.D's. But it is seen that notices are not issued to J.D's. by concerned clerk at that time in that respect till today. So also it was ordered that in view of the Hon'ble Bombay High Court notification, copy of the order to be forwarded to Collector with request that appropriate entries showing attachment levied on the properties may be caused to be made in concerned revenue record, city survey record or village panchayat records. It is further directed that specific request be forwarded to Collector to take entries of attachment on P.T.R. and 7/12 extracts of J.D's. It is seen that this last part of order is not complied. Hence, learned advocate for J.D's. filed present application praying to comply the order passed below Exh.14 completely. It is seen that the compliance of that order is

left to be made. Hence, in view of order passed below Exh.14, following order is passed.

ORDER

1. Application Exh.25 is allowed.
2. Issue notice to J.D's. as per Order-XXI, Rule 54(1-A) of C.P.C. directing them to appear on 03.03.2025 for settling the terms of proclamation of sale.
3. So also it is directed that procedure mentioned in Order XXI Rule 54 (1) (1-A) and (2) of C.P.C. is to be followed and order below Exh.14 is to be complied in true spirit.

Date : 31/01/2025.
Ambajogai.

(P. R. Wagdole)
Jt. Civil Judge Senior Division,
Ambajogai, Dist. Beed.

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original judgment/order.

Dictated on : 31/01/2025
Transcribed on : 31/01/2025
Signed on : 31/01/2025
Uploaded on : 31/01/2025

Date: 31/01/2025
Place: Ambajogai.

Sd/-
(Hanumant B. Suryawanshi)
Steno Grade-II
Civil Court S. D., Ambajogai.