

**Darkhast No.74/2025**

Quazi Ziauddin Quazi Firoz Ali & othrs.

V/s.

State Thro. Collector, Buldhana & othrs.

**ORDER BELOW EXH.7**

The Decree Holder has filed application under Order XXI, Rule 35 read with section 151 of C.P.C. to issue possession warrant against Judgment Debtor No.2.

2. It is submitted by the ld. advocate for Judgment Debtor No.2 that he has filed appeal against the order and decree passed in Spl.C.S. No.30/2019. Thus, the appeal is pending therefore, he prayed not to issue possession warrant.

3. Perused application. Heard both Ld. Advocates for Decree Holder and Judgment Debtor.

4. Record shows that as per Exh.8, 9 and 19 sufficient opportunity was given to the Judgment Debtor No.2. As per documents filed by Judgment Debtor it reveals that the Judgment Debtor No.2 has filed appeal against the decree in Spl.C.S. No.30/2019. However, there is no stay to the present execution proceeding. Also the Judgment Debtor No.2 did not file any say on the present application. Considering record of the case, and as there is no stay to the execution proceeding, the application is allowed. Issue possession warrant against Judgment Debtor No.2 as per rules regarding the suit property described in the decree.

Date : 04/02/2026

( T. S. Gaigole )  
Civil Judge Senior Division,  
Mehkar.

**CERTIFICATE**

I affirm that the contents of this [P.D.F.](#) file order is same, word to word, as per the original order.

Name of the Stenographer Grade II	Balkrishna M. Shilwant.
Court	Civil Judge Senior Division, Mehkar.
Date	04/02/2026
Order signed by the presiding officer on	04/02/2026
Order uploaded on	06/02/2026