

**Darkhast No.76/2023**  
Buldhana Urban Sakharkherda Branch  
V/s.  
Prashant Shankarrao Poghe & othrs.

**ORDER BELOW EXH.10**

This is an application filed for issuance of warrant under Order XXI, Rule 43 against the Judgment-debtors, contending that, the notice served to this judgment-debtors, but, they did not deposit the decretal amount. Judgment-debtors failed to file their reply.

2. Heard Learned counsel for decree-holder. It is not disputed that, the Judgment-debtors have not preferred an appeal. The decree under the execution is passed within two year from filing of instant execution proceeding, therefore, the decree-holder is entitled for claiming warrant against Judgment-debtors. The decree is passed jointly and severally against all judgment-debtors, therefore, it is the choice of decree-holder to proceed against any of Judgment-debtors or all. Considering the fact that, no stay is granted against the decree under the execution by any competent court, this court has no option but, to proceed against the Judgment-debtors. Hence, I proceed to pass the following order :

**ORDER**

1. The application is hereby allowed.
2. Issue warrant under order XXI, Rule 43 of Civil Procedure Code, against Judgment-debtor Nos.1 to 3.
3. The decree-holder to submit list of articles and also to undertake that in the event of seizure of articles, he will take possession of those articles and keep with him with due care till its disposal.

Date : 28/08/2025

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