

ORDER BELOW EXH.47 IN EXECUTION PETITION NO.64/2015.
(Anil Hilal Mahale-2 – Vs - Mayur Chandrakant Patil and other)

This is an application filed by decree holder under order XXI Rule 64 and 66 of Civil Procedure Code, for issuance of warrant of sell of property attached by this Court under order XXI Rule 54 of Civil Procedure Code.

2) According to decree holder, the entry has been taken regarding attachment of property of one half share of J.D. No. 2 Suresh Bhata Wagh(Patil) in the 7/12 extract of S. No.120/1A/1A2, village Salve, Tal-Shinkheda Dist. Dhule.

3) I have perused the order of this court below Exh.18, which shows that, this court has passed order of attachment of property bearing S.No.120/1A/1A2 situated at village Salve, Tal-Shinkheda Dist. Dhule under order 21 Rule 54 of Civil Procedure Code. I have perused a copy of 7/12 extract of S. No.120/1A/1A2. The copy of 7/12 extract shows that, the entry of attachment of said property has been validly taken by the Competent Authority. The judgment debtor No.2 has not challenged said attachment till today. Record further shows that, after filing Exh.47, show cause notice was issued to judgment debtor No.1. Said notice is duly served on judgment debtor No.2. He appeared and filed application at Exh 52 and sought time to file say. He failed to file his say though he was granted time. Record further shows that judgment debtors did not pay any amount in this Darkhast till today. The huge amount is pending against judgment debtors. Today, also judgment debtor No. 2

is present. But he is not ready to pay the amount. As such, considering all above facts a circumstances, I have no alternate except to issue warrant of sell of property in execution of present decree, under order 21 Rule 66 of Civil Procedure Code. In the result, I pass the following order.

- : O R D E R :-

- 1] Application Exh.47 is hereby allowed.
- 2] Issue warrant of sell of property bearing S.No.120/1A/1A2, situated at village Salve, Tal-Shinkheda Dist. Dhule. admeasuring 90 R., under order 21 Rule 66 of Civil Procedure Code by following the procedure as mentioned in the Form No.27, 28 and 29 of Appendix-E against judgment debtor No.2.

Dhule.

Date: 15-06-2023.

(Y. G. Deshmukh)
District Judge-3, Dhule.

CERTIFICATE

I certify that the contents of this PDF file are word to word as per Original Judgment /order .

Name of the Steno	:-	T.R.Pankhedkar.
Name of the Court	:-	Court of District Judge-3 & Addl. Sessions Judge, Dhule.
PDF Uploading Date	:-	17-06-2023.

Sd/-...
Stenographer