



IN THE COURT OF CIVIL JUDGE JUNIOR DIVISION,
KURKHEDA
(Presided Over by N.P. Deshpande)

R.D. No. 01/2013

Decree Holder :- **Namdeo Jayram Mankar,**
Age: 58 Yrs, Occupation: Retired Teacher,
R/o Kurkheda, Ta. Kurkheda, Dist. Gadchiroli.

-VERSUS-

Judgement Debtor:-

1. **Aabid Husen Nijam Husen Sayyad (died),**
1 (a) **Nyaj Aabid Husen Sayyad,**
Age: 38 Yrs, Occupation: Nil,
R/o Kurkheda, Ta. Kurkheda,
Dist. Gadchiroli.
- 1(b) **Fulnaz Yejaj Khan,**
Age: 27 Yrs, Occupation: Nil,
R/o Kamlanagar, Ta. Desiaganj,
Dist. Gadchiroli.
- 1(c) **Yetesham Aabid Husen Sayyad,**
Age: 38 Yrs, Occupation: Nil,
R/o Kurkheda, Ta. Kurkheda,
Dist. Gadchiroli.
2. **Nafizjaha Aabid Husen Sayyad,**
Age: 49 Yrs, Occupation: Household,
R/o Kurkheda, Ta. Kurkheda,
Dist. Gadchiroli.
3. **Grampanchayat Kurkheda,**
Through Sarpanch Grampanchayat Kurkheda,
Ta. Kurkheda, Dist. Gadchiroli.
4. **Shivnath Jayram Mankar,**
R/o Khedegaon, Ta. Kurkheda,
Dist. Gadchiroli.
5. **Ramesh Jayram Mankar,**
R/o Kurkheda, Ta. Kurkheda,
Dist. Gadchiroli.

Ld. Advocate M. T. Saudagar– for the Judgment Debtor
Ld. Advocate Buddhe– for the Decree Holder

Common Order Below Exh. 52 & Exh. 01

(Passed on 27.02.2025)

J.D. No. 1(b) filed present application to set aside ex-parte order passed against her below Exh.1 dated 30.01.2025.

As per averments in the application Exh.52 instead of mentioning her correct name as Shiba Tarannum Yejaj Khan, decree holder added her as Fulnaz Yejaj Khan and subsequently she accepted notice Exh.39. She as to file her say. Hence, she prayed to allow the application and to set aside the ex-parte order passed by this Court dated 30.01.2025.

Say of the decree holder was called. As per say filed by the decree holder, he resisted the application and prayed to reject the same. Heard Judgment debtor No.1(b) and Id Adv. Shri PN. Budhhe appearing for decree holder. It is pertinent to note here that JD No. 1(b) Fulnaz Yejaj Khan was added and in view of the report below notice Exh.39 she accepted the notice under name of Fulnaz Yejaj Khan. As per contention of the JD No. 1(b), her real name is Shiba Tarannum Yejaj Khan instead of Fulnaz Yejaj Khan. Be that it may be, considering that JD No.1(b) is appearing and willing to contest execution petition, it will be proper to set aside ex-parte order passed against her below Exh. 1 dt 30.01.2025 by imposing costs. Hence, I pass the following order.

ORDER

1. Application Exh.52 is allowed, subject to payment of costs Rs. 300 to the decree holder.
2. Considering that name of JD No. 1(b) is Shiba Tarannum Yejaj Khan instead of Fulnaz Yejaj Khan, the decree holder is directed to amend Exh.1 accordingly.

Date: 27.02.2025.
Place : Kurkheda.

(N.P. Deshpande),
Civil Judge Junior Division,
Kurkheda.