

MHGO060001562025



ORDER BELOW EXH. 15

1] This is an application filed by the decree holder for issuance of possession warrant. This application is filed on 16-07-2025. Say is filed. Today learned advocate for decree holder is present. Perused the application and say filed on it. Heard learned Advocate for decree holder.

2] The learned Advocate for the decree holder submitted that there is no appeal is pending against the decree passed in R.C.S. No. 3/2015. Therefore, he prayed for the issuance of the possession warrant.

3] After considering all the documents on record, I find that the decree passed in original Civil Suit R.C.S. No.3/2015 remains intact as there is no appeal against the decree. Admittedly, there is no stay till today. Therefore, it can be said that decree holders are entitled to the lawful possession of the suit premises. It is settled principle that decree holder is entitled to enjoy the fruits of the decree. Hence, I pass the following order.

ORDER

1. Application is allowed.
2. Possession warrant be issued against the judgment debtors in respect of the property as mentioned in the decree passed in R.C.S. No.3/2015, as per Order 21 Rule 35 (1) of Code

of Civil Procedure Code,1908 on payment of P. F.

3. Special bailiff is granted on payment of bailiff expenses.

Dated. 13-02.2026

(Smt.N.V.Sahu)
Civil Judge (Jr. Dn.),
Arjuni/Morgaon.