

**COMMON ORDER BELOW EXH NO.1 & 26A**

**(CNR No. MHJN070006772017)**

The present execution petition is filed by the decree holder for the execution of decree passed on 21/11/2016 in R.C.S. No.103/2014.

2. The decree holder has submitted that the court has passed a decree of perpetual injunction against the judgment debtors for not causing obstruction to his peaceful possession in the suit property and for not causing obstruction to the use of a common cart road on the bandh between Gat No.123 and 124. The decree holder has prayed to provide police protection in order to erect fencing compound from eastern border of his property in Gat No.123 situated at village Kolegaon to the extent of 70 R which is bounded as towards east- land of Radhabai Holkar, towards west- land of Dnyaneshwar Prakash Jadhav from Gat No.121, towards north- land of Prakash Jadhav from Gat No.122 and towards south- land of Aminkha i.e., father of decree holder in Gat No.124. The decree holder also has prayed for recovery of amount of Rs.475/- from the judgment debtors.

3. Judgment debtors No.1 to 3 and 5 to 9 did not appeared before the court in spite of service of summons, therefore execution proceeding has been proceeded exparte against them. The judgment debtor No.4 has appeared before the court through his Ld. Advocate, however, he has failed to file his say on execution petition at Exh.1 as well as on application at Exh.26A. Therefore, the execution petition has taken up to decide on merit.

4. Heard Ld. Advocate for the decree holder. On perusal of decree in R.C.S. No.103/2014 it appears that the judgment debtors

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are restrained from causing obstruction to the peaceful possession of the decree holder over the suit property. The suit property is situated in Gat No.123 and decree holder is praying to provide police protection for erecting fencing over the eastern border of the suit property. Adjacent to eastern boundary there is a property of judgment debtor Radhabai Holkar. As the court has passed an order for restraining judgment debtors, therefore, it is necessary to provide police protection to the decree holder in order to protect his suit property from the interference of the judgment debtors. In result I pass the following order.

**ORDER**

1. The prayer of decree holder at Exh.1 and Exh.26A is allowed.
2. One lady police constable and one gents police constable is provided for the decree holder in order to erect fencing on his eastern border on his suit property in Gat No.123.
3. The decree holder to bear the expenses of police protection as per rule.
4. The recovery warrant be issued against the judgment debtors for recovery of amount of Rs.475/-.
5. After the fencing on the suit property of decree holder the present execution petition will be disposed off as satisfied.

Date : 27/01/2025

(Aparna D.Gade)  
Civil Judge (J.D.),  
Jafrabad.

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**CERTIFICATE**

Affirm that the contents of this PDF file are word to word as per original order.

Date 27/01/2025

Sd/-xxx  
(Ahmad Shaikhh)  
Stenographer.