



Reg.Dkst.No.30/2021.

Pappu Fulchand Yadav V/S. Suraj Suresh Sharma.**Order passed below Exh.10**

No one can dispute that the D.H. must get fruits of the Decree as early as possible. In this case, the Ld.Advocate for the D.H. has made a submission at bar that till yet the Decree on whose strength present Execution Petition is filed is in tact. Despite repeated calls neither J.D. nor Suman Suresh Sharma appeared before the Court. If have cursive look, even from the contents of Appln.Exh.No.10, it is clear that, it is not case of the Objector – Suman that from her own exertion she yielded the property. She is not disputing her relationship with the J.D.. Bare statement that प्रतिवादी हा माझा मुलगा असला तरी त्याचे या घराशी व घरातील वस्तुशी काहीही संबंध नाही. Is not sufficient to detach the J.D. from the house. It is very strange that a lady who is obstructing the process, in unequivocal term admitted that whatever utensils and articles lying in the house are purchased by her husband. It goes to show, those are by the father of the J.D.. Even, slightestly she not asserted either her exclusive ownership or possession over the house.

2. I have minutely perused the Bailiff Report. It clearly depicts that at the time of execution, the J.D. was present in the house. However, during the process, he left the house and did not return. And that time, the Applicant – Suman vociferously resisted and objected the work of execution of process.

3. If on such a flimsy reason anybody is trying to obstruct the process serving work or creates hurdle therein, years will require to get the fruits of the Decree. Without any hesitation, I say that absolutely there is no merit in the grievance as raised by the Applicant. Hence, Appln.Exh.10 is rejected.

4. Issue warrant U/O.XXI, R.43 of the C.P.C.. Already the list of Articles is furnished. Not to execute if amount is paid.

5. This order be uploaded on official website of this Court.

(Ganesh A. Ghule)
3rd Jt. Civil Judge, Jr.Divn.,
Ichalkaranji.
Dist.Kolhapur.
J.O.Code : 2594.

Date :11/09/2023.

I affirm that the contents of this P.D.F. file Judgment/ Orders are same, word to word, as per the original Judgment / Order.

Name of stenographer	Shri. Sanket Sanjay Bhopale
Name of Court	Shri. G. A. Ghule 3 rd Jt. Civil Judge Jr. Div., & Judicial Magistrate First Class , Ichalkaranji.
Date of Dictation	11/09/2023.
Order signed by P.O. on	11/09/2023.
Order uploaded on	11/09/2023.