

MHKO050061842023



ORDER BELOW EXH.14 IN
SPECIAL DARKHAST NO.32/2023
(Passed on 16. 02. 2024)

Perused the application. Heard learned counsel for decree holder.

2. It is significant to note that judgment debtor has failed to raise any substantial objection for the execution of the decree. Document at Sr.No.1 at Exh.13 shows that judgment debtor is having undivided interest in the property bearing Gat No.860, ad-measuring area 0.06.89 HR, out of 0.34 HR, situated at Kabnoor, Tal. Hatkanangale, Dist. Kolhapur and property bearing Grampanchayat property no.1302 (three storey building), situated at Kabnoor, Tal. Hatkanangale, Dist. Kolhapur. Moreover, judgment debtor has agreed in the consent decree passed in suit bearing Spl. Civil Suit No.106/2023 that he will not create any third party interest in the above-mentioned properties. It is undisputed that judgment debtor has not obeyed the decree by paying the amount as specified in the decree. In these circumstances, decree holder is entitled for the execution of the decree by way of attachment of the above-said share of the judgment debtor in the above said properties. Hence, I pass the following order:

ORDER

- 1) Application at Exhibit No.14 is hereby allowed.

- 2) Issue warrant of attachment for attachment of the share of judgment debtor namely Ajay Ramesh Gurav in property bearing Gat No.860, ad-measuring area 0.06.89 HR, out of 0.34 HR, situated at Kabnoor, Tal. Hatkanangale, Dist. Kolhapur and property bearing Grampanchayat property no.1302 (three storey building), situated at Kabnoor, Tal. Hatkanangale, Dist. Kolhapur prohibiting him from transferring or charging the above-said properties in any way, and all the persons from taking any benefit from such transfer or charge.
- 3) Warrant of attachment shall be executed by affixing a copy of the warrant on a conspicuous part of the property and then upon a conspicuous part of court and also in the office of Collector, Kolhapur, Gram Panchayat Kabnoor and Talathi Kabnoor.
- 4) The warrant of attachment shall require the judgment debtor namely Ajay Gurav to attend the court on 28/02/2024 to take notice of the date to be fixed for settling the terms of the proclamation of sale.
- 5) Decree holder to bear cost of the proclamation by beat of drum.

Sd/-

Ichalkaranji

Date :- 16. 02. 2024

(H. A. Wani)

Civil Judge, Sr.Dn., Ichalkaranji