

MHKO050061842023



ORDER BELOW EXH.19 IN
SPECIAL DARKHAST No.32/2023
(Passed on 22. 06. 2024)

Judgment debtor has failed to satisfy the decree despite of attachment of his properties specified in the present application. Third party applicant has filed on record a copy of the sale deed of attached property bearing Plot No.2 out of Gat No.860. It shows that judgment debtor has sold out the said attached property prior to it's attachment. Learned counsel for the decree holder submitted that he is filing the application in respect of said sale deed. As such, at this juncture, said property cannot be put up for auction.

02. Looking to the market value of the attached property bearing Grampanchayat Property No.1302 shown in the report of Government Approved Valuer produced at Sr. No.1 along with list of document at Exh.26, it is necessary to sell 1/3rd share of the judgment debtor in the said attached property in public auction and proceeds thereof as is sufficient to satisfy the decree is required to be paid to the decree holder. Both the parties have not proposed the terms of proclamation. Hence, I pass the following order :

ORDER

- 1) Assistant Superintendent of this Court is directed to fix the date of sale and to prepare proclamation

of sale of attached property bearing Grampanchayat Property No.1302 (three storey building) situated at Kabnoor, Tal. Hatkanangale, Dist. Kolhapur within seven days from the date of this order after considering the report of Government Approved Valuer filed at Sr. No.1 along with list of documents at Exh.26.

2) Cost in cause.

Ichalkaranji

Date :- 22. 06. 2024

(Hitendra Urmila Anilkumar Wani)

Civil Judge, Sr. Dn., Ichalkaranji,
Dist. Kolhapur