

MHKO180000272007 	<u>Reg. Darkhast No.8/2007</u> Adarsh Nagari Sah. Patsanstha Maryadit <i>Versus</i> Abdulrashid Abbasali Patel & Ors.
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Order below Exhibit 67.

Decree Holder (DH) has sought for sale of property admeasuring H 0.29.75 R situated in Gat No.162 and area admeasuring H 0.28.25 R in Gat No.344 of village Mouje Aurwad, Tal. Shirol, Dist. Kolhapur (hereinafter referred to as ‘the property’), by way of public auction and for application of sale proceeds towards the satisfaction of decree passed on 10/12/2003 in Co-op. Court Case No.1961/2003. Said darkhast proceeded without say/objection against Judgment Debtor (JD) Nos.1(a), 1(b), 2 and 3.

02. JDs failed to satisfy the decretal amount of DH. Hence, *vide* Order below Exh.24 the property of JD No.1(b) has been attached under Order 21 Rule 54 Civil Procedure Code (CPC), and notice under Order 21 Rule 66(2) CPC has been duly served upon the Judgment-debtor No.1(b) to appear and make representations, if any, regarding the sale proclamation. In spite of service of notice they failed file their objection to the proposed proclamation of sale. No one has raised any objection to said proclamation.

03. Heard Ld. Advocate for DH, perused record and considered the Bailiff Report (Exh.42) regarding the valuation and attachment of the property. The decretal amount is still unsatisfied. None has raised objection. Hence, a proper sale proclamation must be made, judgment-debtor No.1(b) did not filed her say/objection to

this petition. Details about the property, encumbrances, and valuation are publicly disclosed *vide* proclamation displaying on conspicuous places like notice board of the office of Collector, Tehsildar, Etc. and also adjacent to said property by drum beating (दवंडी). The 7/12 extract filed on record by DH at Exh.28 reflects the name of JD No.1(b). Thus, it is clear that, the property is exclusively owned by JD No.1(b) and now it is presently under the sole attachment in favour of DH for the recovery of amount under this execution proceeding. Hence, I pass the following order :-

ORDER

- (i) Application is allowed.
- (ii) The proclamation of the sale of property under attachment be made in the Marathi language.
- (iii) The proclamation shall contain the proposed date of sale and the date of public auction and the finalization of the sale.
- (iv) The Assistant Superintendent, Court of Civil Judge Junior Division, Kurundwad is deputed for supervising and carrying out public auction through the Bailiff, as per law.
- (v) The objections, if any, of any person including JD Nos.1(b) or the third parties, can be submitted in the Court before the sale is finalized.

Place: Kurundwad.
Date : 16/09/2025.

(Smt. V. R. Mane)
Jt. Civil Judge Jr. Dn., Kurundwad.