

Order below Exh.5 in Arb.RD No.828/2024

By this application decree holder has requested to issue warrant of attachment of movable properties belonging to judgment debtors. Perused application. Heard learned advocate for decree holder. It seems that an amount of more than Rs.2,55,000/- is yet to be recovered from judgment debtors. Record shows that judgment debtor No.3 is residing or working outside the jurisdiction of this Court. In such situation, no warrant can be issued against judgment debtor Nos.1 and 2. So far as, judgment debtor Nos.1 and 2 are concerned warrant can be issued against them. Record further shows that judgment debtors are not paying the amount on their own. Hence, for execution of decree it is necessary to issue warrant of attachment of movable properties belonging to judgment debtor Nos.1 and 2, as requested. Thus, I pass following order:-

ORDER

1. Issue warrant of attachment of movable properties belonging to judgment **debtor Nos.1 and 2**, subject to following conditions:-
 - a. An officer of decree holder shall remain present at the time of execution of warrant of attachment of movable properties belonging to judgment debtor Nos.1 and 2 along with panch witnesses, without making any excuse.
 - b. Decree holder shall deposit necessary transportation allowance today itself, required for bringing the movable articles belonging to judgment debtor Nos.1 and 2 from place of their residence to the Court.
 - c. Decree holder shall remain in touch with concerned bailiff for effective execution of warrant.
2. Failure on the part of decree holder in complying with any of the conditions will compel this Court to pass adverse orders against decree holder including dismissal of the execution petition on next date.
3. No order as to costs.

Date : 24/03/2025

(Ashish B. Marlecha)
Civil Judge (Sr.Dn.),
Nilanga, Dist.Latur.