

**Ramprasad Aghav & Ors. Vs. Mankarana Ghuge & Ors.**

**ORDER BELOW EXH.01**

The present execution petition has been filed by decree holder as per judgment passed in RCS No. 11/2012 was decreed with costs on 30.08.2016 and as per the said judgment the decree be sent under Section 54 of CPC to the District Collector, Parbhani.

**02.** The judgment debtors failed to appear before this Court after their notice was issued in daily new paper “*Deshonnati*” on 28.10.2023. Therefore, by passing order below Exh. 01 the execution petition is proceeded exparte against them.

**03.** Perused the record and proceeding. The present execution petition filed by the decree holder for partition and possession of the suit property on 01.08.2018 as per the decree passed in RCS No. 11/2012. As per the said decree the plaintiffs are entitled to 1/3rd each equal share in the suit properties. Therefore, in order to make effect partition in meets and bound it is necessary to send the copy of decree to District Collector, Parbhani under Section 54 of CPC. Therefore, considering the fact that, the RCS No. 11/2012 filed by the decree holder against the judgment debtors has been decreed by my Ld. Predecessor on 30.08.2016 and there is no document available on record about filling or pending any appeal in the Hon'ble District or Hon'ble High Court, it would just and proper to send the decree to the Collector, Parbhani. Hence, I proceed to pass the following order.

**ORDER**

**01.** The decree be send under Section 54 of Code of Civil Procedure, 1908 be sent to the Collector, Parbhani for effecting partition in R.C.S.No.11/2012 (Ramprasad Aghav & Ors. Vs. Mankarna Ghuge & Ors.).

**02.** Issue letter accordingly.

Sd/-

Date : 06.12.2023

**( Mandar M. Raut)**  
Civil Judge Junior Division,  
Sailu Dist. Parbhani.