



ORDER BELOW EXH. 50

This is an application under Order 21 Rule 46 of C.P.C. with prayer to attach the shares in the name of Judgment Debtor mentioned in Para No. 6 of this application and said attachment order be issued to the concern Directors of companies names of the same are mentioned in this application, particularly in prayer clause.

2. Today, itself on behalf of Judgment Debtor received copy of this application. However, neither say of this application is filed nor time has been sought to file the say.

3. When the present matter is called out, at that time, Ld. Advocate for Decree Holder appeared, however, neither Judgment Debtor nor his Advocate are appeared.

4. I have heard arguments advanced on behalf of Decree Holder. Admittedly by way of execution of award Decree Holder is entitled to get total Decreetal Amount of Rs. 2,23,13,750/-. However, till this date, Judgment Debtor did not deposit a single rupee.

5 Under execution of Decree, this Court attached some property of Judgment Debtor, but the share of Judgment Debtor is yet to be ascertained, and further, it appears that, even after sale of share of Judgment Debtor in said property, there would be no full

satisfaction of decree. So, Decree Holder had obtained certain information and thereby it is revealed that, Judgment Debtor is having 37,500 number of shares at the value of Rs. 10 each in Dhavani Builders Private Limited Company and 33.33% of shares in Ambika Land Ventures LLP, total Rs. 51,14,253/-. In order to have satisfaction of the Decree, at this stage, I find that, the attachment of these shares is required to be made and otherwise Judgment Debtor will succeed in transferring those shares in order to defeat the execution of award. Therefore, under such circumstances, in my view, following order would be just and proper.

ORDER

1. Application Exh. 50 is partly allowed.
2. Issue attachment order under Order 21 Rule 46 of C.P.C., in order to attach the shares in the name of Judgment Debtor, shown in para No. 6 of this application and the said order of attachment be issued in the names of Directors and partners of those companies as mentioned in prayer clause “d” of this application.

Date : 18.07.2023

(Sunil G. Vedpathak)
District Judge-2, Pune.

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DARKHAST NO. 2871/2019
CNR-MHPU01-013890-2019

C E R T I F I C A T E

I affirm that the contents of this P.D.F. file judgment are same word for word as per original Judgment.

Name of steno	:	Shri. A.E. Deshmukh
Name of the Court	:	Shri. Sunil G. Vedpathak District Judge-2, Pune
Date of Order	:	18.07.2023
Order signed by P.O. on	:	20.07.2023
Order uploaded on	:	20.07.2023