

Darkhast No. 2871/2019
CNR-MHPU01-013890-2019
Dilip Malvadkar Vs. Vishwanath Tapkir

ORDER BELOW EXH. 48

1] This an application under Order 21 Rule Rule 6(4) of CPC. Presnet application is filed on 21.06.2023. However, despite opportunity no say filed by Judgment Debtor.

2] Heard argument on behalf of Decree Holder. It appears that, execution is for the recovery of amount of Rs. 3,21,01,848/- and for that Decree Holder has attached Scheduled Property of Judgment Debtor.

3] As per Order 21 Rule 6(4) of CPC the specification of share of Judgment Debtor in Scheduled Property is required to be ascertained. Admittedly the property attach is situated in Mangaldham Co-operative Housing Society Ltd. Therefore, in order to carve out how much exact share of Judgment Debtor in Scheduled Property, it is essential to take help of Secretary of Mangaldham Co-operative Housing Society Ltd. Therefore, in my view, it would be just and proper to issue notice to the Secretary Mangaldham Co-operative Housing Society Ltd directing him to produce the documents Nos. 1 to 6 mentioned in present application. Hence following order :

ORDER

- a) Application is allowed
- b) Issue notice to Secretary, Mangaldham Co-operative Housing Society Ltd directing him to produce documents No. 1 to 6 shown in this application.
- c) Decree Holder shall provide copy of this application in order to attach the same along with notice.

Date : 14.08.2023

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

CERTIFICATE

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. Anis E. Deshmukh (Stenographer Grade-III)
Name of the Court	:	Shri. Sunil G. Vedpathak District Judge-2, Pune
Date of Order	:	14.08.2023
Order signed by P.O. on	:	16.08.2023
Order uploaded on	:	21.08.2023