



ORDER BELOW EXH.23 IN R.D.No.13/2021

Babanrao Babaji Dashwant

Vs

Atmaram Bhau Dashwant

CNR-MHSN-14000951-2021

The present application is filed by the D.H. for attachment and sell of immovable property mentioned in the application on account of default on the part of J.D to make the payment as per decree.

2. It is contended that, darkhast is filed for recovery of Rs. 40,000/-. Till today, J.D have deposited Rs. 4,900/- in the court and deliberately avoiding to pay or deposit remaining amount of Rs. 34,100/-. J. D no. 1 have immovable property gat no. 572/20, 62/2, 66/7 admeasuring area 11.25 R, J.D. no. 2 have gat no. 572/20 admeasuring area 3.80 R, J.D. no. 1 have Grampanchayat Milkat no. 635 admeasuring area 63 Sq. feet situated at Mangale. As the J.D is not paying remaining amount D.H prayed to allow the application.

3. Notices to JD issued. However, inspite service of notice Exh. 28 J.D failed to file say. Hence, no say order is passed against them on 07/07/2025.

4. Heard Ld. Advocate for DH. He argued in the tune of their contention. Perused record. It appears that, J.D have deposited 4,900/- in the court. However, failed to pay remaining amount. Repeatedly, recovery warrant issued against them. As per report of recovery warrant Exh. 11 and 32 no movable property was found in the house of J.D. no. 1 and 2. Therefore, present application appears to be filed for attachment of immovable properties of J.D no. 1 and 2 as mentioned in the application.

D.H. have filed 7/12 extract and house property extract with list Exh. 25 which supports the claim of D.H. J.D are remaining absent and failed to discharge the decree. No doubt, money decree can be executed by detaining J.D in civil prison or attaching their property. Considering record, absence of J.D it is fit case to attach immovable properties to J.D. In result, I proceed to pass following order.

ORDER

Application is allowed as follows:-

1. The immovable property gat no. 572/20, 62/2, 66/7 admeasuring area 11.25 R of J. D no. 1, gat no. 572/20 admeasuring area 3.80 R of J.D. no. 2, Grampanchayat Milkat no. 635 admeasuring area 63 Sq. feet of J.D. no. 1 situated at Mangale. Tal- Shirala, Dist- Sangli is attached.
2. J.D are restrained from transferring or creating any charge over the said property.
3. Issue notices to JD to remain present before the court on next date to take notices for settlement of proclamation of the same.
4. A copy of this order be sent to the District Collector, Sangli to make necessary entry in the Revenue record of said properties of J.D.

Shirala
Date- 07/03/2026

(V. A. Desai)
Civil Judge Jr. Dn., Shirala.

CERTIFICATE

I affirm that the contents of this P.D.F. file order are same,
word to word, as per the original order.

Name of the Stenographer	:	M. S. Gondkar
Court	:	C.J.J.D. & J.M.F.C., Shirala
Date	:	07/03/2026
Order signed by the Presiding Officer on	:	07/03/2026
Order uploaded on	:	09/03/2026