

MHSO070000852015



ORDER ON EXH. 1 IN R.D.No.08/2015
(Passed on 28th April 2026)

The present petition is filed for execution passed in decree passed in R.C.S.No.275/2008 dated 30.09.2014. It is filed on 14.02.2015. JD has filed say on 20.08.2015 vide Exh.13. Though R.C.A.No.39/2015 is filed by JD, there is no stay granted to this execution petition. Since 20.08.2015 petition is scheduled for hearing. DH has not taken any steps for the last 10 years and 08 months to lead evidence to prove fact of disobedience of decree passed. First adjournment was sought on 30.07.2025, which was granted. Further, adjournments sought on 27.10.2025, 23.01.2026, 13.03.2026 are rejected. Petition is kept for dismissal by order dated 23.01.2026 passed below Exh.20. In absence of any evidence led by DH, the application to issue arrest warrant against JD vide Exh.21 was rejected on 30.01.2026.

Inspite of sufficient period of more than 10 years and 08 months has been granted to DH. DH failed to take any steps for effective execution. The DH being old and admitted in the hospital is the repetitive reason given by Advocate for the DH for his absence. However, this reason is not justifiable to keep the petition pending for more than 10 years. Hon'ble Supreme Court has specifically issued mandatory guidelines to dispose execution petitions within six months. In view of these

guidelines and proceeding being more than 10 years old, it is appropriate to dismiss the petition. However, in the interest of justice time till next date is given to DH. If DH fails to take effective steps on the date, petition will be dismissed for default.

ORDER

Keep the petition for dismissal on the next date.

Pandharpur.
Date : 28.04.2026.

(Smt. S.S.Raul)
Jt. Civil Judge, Junior Division,
Pandharpur, Dist.- Solapur.

Certificate

I affirm that, the contents of this PDF file Order/Judgment are same word to word, as per original Order/Judgment.

Name of Stenographer	:-	D.S.Landage (Grade-III)
Court	:-	Jt. Civil Court,J.D., Pandharpur.
Date	:-	28.04.2026.
Judgment/Order signed by the Presiding Officer	:-	28.04.2026.
Judgment/Order uploaded on	:-	28.04.2026.