

MHSO130021482014



R.D. No.58/2014

Ek Nath Kadam

Vrs.

Ravindra Kadam & Ors.

ORDER BELOW EXHIBIT- 01

Heard learned Advocate of Decree Holder. By filing the present application, the Decree Holder prayed for restoration of execution petition which is dismissed in default. Learned Advocate submitted that the matter is pending for filing of the amended copy of the petition and due to absence of the learned Advocate of Decree Holder, the matter was dismissed in default. The Decree Holder is ready to take steps to proceed the matter. Hence, prayed for restoration of the petition.

02. The matter was dismissed in default due to non taking steps since 26/08/2022 by the Decree Holder. Therefore, the matter was kept for dismissal order on 06/08/2024 and 22/04/2025. Due to absence of the Decree Holder and their learned Advocate, the matter was dismissed in default on yesterday i.e. on 21/07/2025. The learned Advocate of the Decree Holder has filed the application for restoration the present proceeding on the same day at about 05.50 pm. The present matter is proceeded *ex parte* against Judgment Debtor. The reason mentioned in the application is not considerable. However, the present execution petition is filed for declaration, perpetual injunction and recovery of amount. The valuable rights of the Decree Holder are involved in the proceeding. The learned Advocate filed the present

application on the same day of dismissal order. Then in such circumstances, it is necessary to give an opportunity to Decree Holder to proceed the matter by restoring this petition by imposing costs upon the Decree Holder. Hence, I proceed to pass following order;

ORDER

1. Application is allowed subject to payment of costs of Rs.1,000/- (Rs. One Thousand only) to be paid to the Taluka Legal Services Authority, Barshi within 07 days from this order.
2. After payment of costs by the Decree Holder, the TSA of this Court is directed to revoke the R.D. No.58/2014 on the file of this Court for the purpose of taking steps.

Barshi.
Dt. 22/07/2025.

(Smt. P.V. Raut)
Jt. Civil Judge Jr.Dn. Barshi.

CERTIFICATE

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

(a)	Name of the Stenographer	:	Shri.S.R. Barangule
(b)	Court	:	Shri.S.B. Vijaykar, Jt.C.J.J.D.&J.M.F.C. Barshi.04/11/2024
(c)	Judgment /Order signed by P.O. on	:	22/07/2025
(d)	Judgment /Order uploaded on	:	22/07/2025