

MHSO140002512020

**ORDER BELOW EXHIBIT-59**

The learned counsel for non applicant prayed for staying the effect and operation of arrest warrant passed on Exh.58. He submitted that today the non applicant is ready to deposit the amount of Rs.2500/- and on next date he will pay the substantive amount. Hence prayed accordingly. On the other hand, the learned counsel for applicant strongly opposed the application. She submitted that the huge amount is outstanding against non applicant. If on the payment of meager amount, the effect and operation of arrest warrant stayed then very purpose of this execution petition will be frustrated. Hence prayed for rejection of the application.

02. Heard both parties. I have perused the Order passed below Exh.58 in which this Court passed the order and thereby issued arrest warrant for recovery of Rs.1,19,400/-. Today non applicant is absent. His learned counsel is present. Today the learned counsel for non applicant is ready to deposit Rs.2500/- out of above said amount. This is meager amount. If on the payment of meager amount, the effect and operation of arrest warrant stayed then the non applicant will not pay the amount which outstanding against him and in that situation the purpose of this petition will be frustrated. Hence this application is rejected.

03. The learned counsel for non applicant is ready to pay Rs.2500/-. But applicant is absent. Her father is present. The learned counsel for non applicant has no objection to pay the amount of Rs.2500/- to the father of applicant. Hence it is directed to the learned counsel for non applicant to pay amount of Rs.2500/- to the father of applicant. It is also directed to the father applicant to submit pursis that he has obtained such amount on behalf of applicant.

Barshi.
Date : 23/10/2023.

(S.B. Vijaykar)
I/c. Judicial Magistrate F.C.
Court No.1,Barshi.

C E R T I F I C A T E

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	:	S.R. Barangule
(b)	Court	:	S.B.Vijaykar, Jt.C.J.J.D.&J.M.F.C. Barshi.
(c)	Judgment /Order signed by P.O. on	:	23/10/2023
(d)	Judgment /Order uploaded on	:	23/10/2023