

MHST160006292024



**Regular Darkhast No.14/2024
(Venkat Jedhe Vs. Raghunath
Jedhe and ors.)**

**Order below Exh.158
(Passed on 28th August, 2025)**

This is an application filed by defendants No.1A(1) and 1A(2) for fixing the matter for hearing and order below the application filed at Exh.22 and 118 to 131. They submitted that today the matter has been fixed for argument on application at Exh.5, which is filed for addition of third persons in the proceeding. In fact, no such legal provision is there for such insertion in the execution proceeding. Therefore, the application filed at Exh.22 and 118 to 131 be heard, firstly.

2. The Decree Holder has resisted the application on the count that the present application has been filed only with an intention to delay the hearing of application (Exh.5). The application at Exh.22 and 118 to 131 are not required to be heard, first. For all these reasons, he prayed to reject the application.

3. Perused the application and say along with the entire record. The matter is fixed for further argument by non-applicants No.11, 13 and 14 on Exh.5, today. Thus, the DH has already argued said application. This Court while passing order dated 08.08.2025

passed below Exh.151 and 154 already disallowed the objection on behalf of the proposed non-applicants No.11,13 and 14 for pre-poning the matter. As the application (Exh.5) is part heard, it is required to be decided firstly giving priority, in the light of application (Exh.7) filed by the DH himself for issuance of order of temporary injunction against proposed non-applicants No.11 to 15. It is also necessary to mention that Learned Advocate for proposed non-applicants No.11 and 13 to 14 was ready for argument on the application (Exh.5.) However, the matter could not be reach in the first session and Learned Advocate for non-applicant requested to take up the matter at 5.00 pm after his return from Satara. But, the Learned Junior Advocate N.K. Kshirsagar fairly submitted that his Learned Senior Advocate is unable to reach Wai, till passing of this order due to some unavoidable circumstances. Considering this, I find it necessary to give fair opportunity to the Learned Advocate appearing for the proposed non-applicants No.11 and 13 to 14. Thus, the matter be fixed on 02.09.2025 for his further argument on application at Exh.5.

4. In view of the above discussion, the present application being devoid of merit is hereby rejected.

Dictated and pronounced in the open Court.

Place : Wai
Date : 28.08.2025.

(R.M. Bhende)
2nd Jt. Civil Judge Junior Division,
Wai, Dist. Satara.

CERTIFICATE

“ I certify that this Order uploaded is a true and correct copy of original signed Order”.

Order dictated on : 28.08.2025

Order checked and signed on : 28.08.2025

Uploaded by : Sunita C. Redekar
Stenographer (Grade-III)

Uploaded on : 28.08.2025