

ORDER BELOW EXH.01 IN R. D. NO. 57 OF 2014.
(Ashok Shankar Jadhav and Others, Vs. Anandrao Shankarrao Jadhav
and others)

01. The present execution petition is filed by Decree Holders for execution of decree passed in Spl. C. S. 45 of 2010 for partition and separate possession of suit properties mentioned in plaint para No. 1, situated at village Bhosare, Tal. Khatav, District – Satara. The said decree is for partition and separate possession, which requires actual division of the suit properties by metes and bounds. As per section 54 of the Code of Civil Procedure, 1908, in case of agricultural land, the partition has to be effected through the Collector.

02. Heard Ld. Advocate for the Decree Holders. He submits that Spl. Civil Suit No. 45 of 2010 allowed and accordingly it is declared that the plaintiff is entitled to have a share 7/20, plaintiff No. 2 entitled to 2/20, plaintiff No. 3 is entitled to 2/20, defendant Nos. 1A to 1D jointly have entitled to 7/20 and defendant No. 2 is entitled to 2/20 share in the properties mentioned in plaint para No. 1A. Perused the decree and all documents available on record. J. D. and their learned Advocates are absent when called repeatedly.

03. Considering the argument advanced by Ld. Advocate for the Decree Holder and considering the settled law regarding the partition and separate possession, I pass following order.

ORDER

1. Issue precept under Section 54 of the Code of Civil Procedure, 1908 to the Collector, Satara to effect partition of the suit properties mentioned in plaint para No. 1A (Land Gat No. 230 area 0.53 H.R. + 0.10 HR. Potkharaba, Gat No. 402 area 0.01 H.R., Gat No. 550 area 0.04 H.R., Gat No. 572 area 0.16 H.R. + Pot Kharaba 0.01 H.R., Gat No. 657 area 0.03 H.R., Gat No. 658 area 0.52 H.R., Gat No. 724 area 0.44 H.R., Gat No. 819 area 0.07 H.R. + Pot Kharaba 0.09 H.R., Gat No. 400 area 0.02 H.R., situated at Bhosare, Tal. Khatav, District – Satara in accordance with the decree passed in Spl. C. S. No. 45 of 2010.
2. The decree holder to take necessary steps.
3. Concerned clerk / officer to send a certified copy of the decree and the Judgment along with a copy of this order to a Collector Satara.

Date:06.10.2025
Vaduj.

(Salim P. Sayyed)
2nd Jt. Civil Judge Sr. Div., Vaduj
Tal. Khatav, Dist. Satara.