

ORDER BELOW EXHIBIT 16 IN R.D. NO. 06/2025
(MHWS050004822025)

01. This is an application made by decree holders for delivery of possession of house property mentioned in the decree. Judgment debtors failed to file say on the application. Hence, application is proceed without say of the J.D.

02. It is contended in the application that as per judgment and decree D.H. are entitled for the possession. Heard learned advocate for D.H. However, J.D. failed to appear in the matter. Therefore, I could not get an opportunity to hear the argument of J.D.

03. Read the application. Perused record and proceedings. It appears that this is an execution proceeding of decree passed in R.C.S No. 69/2016. It is pertinent to note that J.D. did not whisper a single word about delivery of possession of property mentioned in decree. In view of this, provision of Order 21, Rule 35 of C.P.C. is required to be considered. It appears from the record that earlier possession warrant was issued but it was returned un-served with the report that it could not be executed due to the obstruction by the J.D. Thereafter, D.H. has also filed application below Exh.18 for police protection. It appears that there is no stay to the present proceeding.

04. Hence, issue possession warrant against J.D. vide Order 21, Rule 35(1) of C.P.C. for handing over the possession of house property mentioned in the decree.

05. D.H. is directed to supply necessary documents.

06. Possession warrant be executed without fail.

Dated :- 12/08/2026

(Subhash D. Tare)
2nd Jt. Civil Judge (Jr. Dn.),
Mangrulpir.

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment/ Order are same word to word as per the original order.

Name of Court	:-	2 nd Jt. Civil Judge (Jr.Dn.) and J.M.F.C., Mangrulpir, Dist. Washim.
Presiding Officer	:-	Subhash D. Tare
Judgment uploaded by	:-	R. T. Sharma (Junior Clerk)
Date of Judgment	:-	12.08.2026
Judgment/Order signed by the presiding officer on	:-	12.08.2026
Judgment/Order uploaded on	:-	12.08.2026