

IN THE COURT OF PRINCIPAL DISTRICT JUDGE, YAVATMAL.
(Presided over by Nagesh V. Nhavkar)

Arbitration R.D.264/2015

The Akola Janta Com. Co-operative Bank Ltd.

Vs.

Rahul Omprakash Gandhi

ORDER BELOW EXHIBIT No.29

(Delivered on 29th day of October, 2025)

1. This is an application under Order 21 Rule 46 of Civil Procedure Code. The Decree Holder Multistate Scheduled Bank having filed the execution application vide Exh.1 to recover the amount of Rs.1,44,25,000/- alongwith further interest from 28/01/2015 as per award from Judgment Debtor - Rahul Omprakash Gandhi and prays for attachment of the amount of compensation awarded by SDO/Land Acquisition Officer Darwha in Case No.51/47/2015-16 as per award dated 19/11/2018 to the extent of share of Rahul Omprakash Gandhi. The further prayer is directing the SDO/Land Acquisition Officer Darwha deposit the said amount in the court.
2. Heard Advocate for applicant and Judgment Debtor at length. Advocate for Judgment Debtor submits that the claim is baseless as the said compensation amount is awarded the partners of the firm named M.S. Gandhi Ginning and Pressing Factory.
3. The report from SDO/Land Acquisition Officer Darwha was called and as per report dated 17/01/2023 the amount

of Rs.48,90,769/- appears to be awarded to the said firm having partners named Omprakash Mohanlalji Gandhi, Sureshchandra Mohanlalji Gandhi, Sandip Premkishor Gandhi and Rahul Omprakash Gandhi.

4. Having heard both sides and having perused the documents annexed the prayer of applicant vide Exh.29 is justified since the Judgment Debtor - Rahul Gandhi being one of the partner, the amount to his share needs to be attached to fulfill the debt as per execution application at Exh.1. For these reasons following order is passed -

ORDER

- 1) The application is allowed.
- 2) Issue attachment warrant of the amount to the extent of share of J.D.- Rahul Gandhi out of compensation amount of Rs.48,90,769/- as per award dt.19/11/2018 in Case No.51/47/2015-16.
- 3) The SDO/Land Acquisition Officer Darwha is restrained from handing over the amount of share of J.D.- Rahul Gandhi until further order.
- 4) The SDO/Land Acquisition Officer Darwha deposit the said amount in the court.
- 5) The copy of said order be sent to SDO/Land Acquisition Officer Darwha.

Date : 29/10/2025

(Nagesh V. Nhavkar)
Principal District Judge,
Yavatmal.
JO Code (MH01091)

Certificate

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

Name of Stenographer :- Sau. S.R.Sontakke.
Stenographer Grade I.

Court name :- Principal District & Sessions Court,
Yavatmal.

Date :- 29/10/2025

Judgment signed by

Presiding officer on :- 29/10/2025

Judgment uploaded on :- 29/10/2025

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