

CNR-MHYA110014772025



COMMON ORDER BELOW (Exh.01) AND (EXH.10)
AND (Exh. 11) IN Regular Darkhast. No.09 /2025
(Passed on 08/10/2025)

Perused the record. Heard Ld. Advocate Shri. D.M. Suryavanshi for the decree holder present today. The present execution proceeding is filed for recovery of amount as per judgment and decree passed in RCS No. 2/2021 by my Ld. Predecessor in Shivaji Mane Vs- Adhikshak and others.

02. After institution of regular Darkhast summons to judgment debtors no. 1 to 4 were issued. Said summons are served to the judgment debtors, same is evident by bailiff reports vide **(Exh. 6 to 9)** respectively.

03. After issuance of above summons/notices, judgment debtors did not appear in this proceeding. However, judgment debtor no. 2 Executive Engineer M.S.E.B Pusad had forwarded one letter dated 06.08.2025 which is marked at **(Exh. 13)**. Along with this letter JD No. 2 had filed one demand draft of Rupees 2,65,412/- dated 05.08.2022 bearing its **serial no. 319847**, in the name of Civil Judge Jr. Division. The said DD is filed for the payment to the DH as per the decree stated above.

04. The A.S. of this court filed detailed say at **(Exh. 13)** that, the PLA number is not received to this court by the government. Hence, said demand draft cannot be accepted and deposited in the Court account. Accordingly letter to the JD No. 2 vide **(Exh. 12)** was issued calling to correct the demand draft in the name of original decree holder **Shivaji Nagorao Mane**. However, the letter is not reached to the JD No. 2

05. Ld. Advocate Shri. D.M. Surayvanshi for DH is present. Ld Advocate has filed application (**Exh. 10**) to give directions to the JD for correction of Demand draft in the name of decree holder. Ld. Advocate has also filed application (**Exh. 11**) to give the copy of order by hand to him.

06. Considering the above facts it is necessary to correct the demand draft in the name of decree holder. Hence, such directions to the executor of DD that is JD No. 2 are necessary. Hence, following order.

ORDER

- 1 In view of Bailiff reports **Exh. 6 to 9** Darkhast be proceeded *ex-parte* against the judgment debtors.
- 2 Issue letter to the Judgment debtor No. 2 executive Engineer M.S.E.B Pusad Dist Yavatmal, calling him to appear personally in this proceeding to take original DD back for correction as state above.
- 3 The J.D shall receive the original DD bearing its serial no. 319847 dated 05.08.2025 and he shall prepare the DD of amount as mentioned in the original DD in the name of decree holder Shivaji Nagorao Mane
- 4 After correction of demand draft in the name decree holder Shivaji Nagorao Mane the executive Engineer (Judgment Debtor No. 2) shall file the same in the court for the purpose of payment to the decree holder.
- 5 After deposit of demand draft in the name decree holder, DH is at liberty to claim as per law.
- 6 The Assistant superintended of this court is directed to prepare one verified copy of the original DD which is proposed to be returned to

the J.D No. 2.

- 7 Issue letter afresh accordingly the J.D no.2 for the compliance above order.
- 8 Application (**Exh.10**) is allowed accordingly.
- 9 The copy of letter be given to the Ld. Advocate Shri. D.M. Suryavanshi in the sealed envelope to submit to the office of judgment debtor no.2. Accordingly (**Exh. 11**) is allowed.
- 10 Ld. Advocate for the decree holder to take note of this order.
- 11 Concerned clerk shall prepare Roznama correctly of all the affairs.

Date : 08/10/2025

(S.G.Thanedar)
Judicial Magistrate First Class
(Court No. 02)
Umarkhed

CERTIFICATE

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

Order directly dictated on : 08.10.2025

Order checked and signed on : 08.10.2025

Uploaded by : B.G.Sawate, Stenographer (Gr.III)

Uploaded on : 08.10.2025