

CNR No.MHYA240001172024

**ORDER BELOW EXH.11**

- 1) The present execution petition Exh.01 is filed by Decree Holder for recovery of amount Rs.10,51,917/- along with interest as per judgment passed in L.A.C. No.183/2015 on 14/08/2023.
- 2) Whereas vide Exh.11, D.H. applied for issuance of attachment warrant of movable articles of J.D. no.1 mentioned in list for recovery of remaining amount of Rs.10,96,105.96/- as it is contended in the application that J.Ds have not deposited in amount so far and as per the award Rs.2,10,000/- per hector has been granted and 00.97 H.R. land has been acquired and its compensation would be Rs.2,03,700/- and 30% solatium would be Rs.61,110/- and 12% additional component from 06/02/2003 to 08/12/2006 would be Rs.95,739/- and thus total Rs.3,60,549/- was to be deposited out of which Spl.L.A.O. awarded amount of Rs.70,792/- has been deducted which comes to Rs.2,89,757/- and first year 9% interest on it would be Rs.26,078.13/- and 15% interest from 09/12/2007 to 17/09/2025 would be Rs.7,72,443.83/- and thus total recoverable amount was Rs.10,88,278.96/- and cost of Rs.7,827/- and thus remaining recoverable amount is Rs.10,96,105.96/- and for recovery of this amount attachment warrant against J.D. No.1 has been prayed.
- 3) J.D.No.1 inspite of service of court motion notice vide Exh.13 failed to file say to this application inspite of grant of ample time.

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- 4) Heard Ld. Counsel for the D.H. Perused record and entire proceeding.
- 5) On perusal of record it appears that, present execution petition was filed on 17/10/2024 by D.H. for recovery of amount of Rs.10,51,917/- inclusive of interest as per judgment passed in L.A.R. No.183/2015 on 14/08/2023.
- 6) Perusal of the record further reveals that J.D. No.1 to 3 had been served with show cause notice vide Exh.06 to 08 and attachment warrant was issued against J.D.No.1 vide Exh.09. Moreover, court motion notice have also been served to J.D.No.2 and 3 vide Exh.14 and 15. But J.D. No.1 to 3 remain absent and not appeared in the matter and failed to file say to this application inspite of grant of ample time.
- 7) The record shows that J.D.'s mentioned in application have not deposited any amount in proceeding or with D.H. It shows that they are defaulters. However, as per Exh.01 recoverable amount is Rs.10,51,917/- and Exh.01 has not been amended to include further interest from September-2024 to September-2025.
- 8) Hence, considering all those aspects and in order to satisfy the decree, as per award it needs to issue attachment warrant for recovery of Rs.10,51,917/-. Hence the following order.

**ORDER**

- 1) Issue attachment warrant against J.D. no.1 for recovery of Rs.10,51,917/- under order XXI Rule 43 of Code of Civil Procedure as prayed to attach movable articles mentioned in the list.

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- 2) D.H. is directed to accompany with bailiff for effective service and execution of attachment warrant.

Date : 02/01/2026.  
Place : Wani.

( **P. S. Jondhale** )  
Civil Judge (S.D.),  
Wani.