

MHSN050033432018



(Shriram Transport Finance Company Limited
V/s.
Babaso Dagadu Khaire-1)

ORDER BELOW EXHIBIT 1 IN
ARBITRATION REGULAR DARKHAST No.115/2018
{Old Arbitration Regular Darkhast No.115/2015}

1. Today, decree holder and its learned advocate are absent, when called repeatedly till 4:15 p.m.. On perusal of record, it is found that, the warrant for attachment of movable properties at Exhibit 19 was issued against judgment debtor No.1 are returned unserved repeatedly due to various reasons. Bailiff report dated 04/05/2026 at Exhibit 19 reflects that, judgment debtor No.1 is died on 17/10/2025. On perusal of rojnama it appears that, decree holder failed to take appropriate steps. Today, neither application is filed for adjournment, nor taken any steps.

2. It appears that decree-holder is not mandating directions issued by Hon'ble Supreme Court in petition of *Periyammal dead through LR's vs V. Rajamani and Ors. Civil Appeal No. 3640-3642 of 2020 (Arising out of SLP @ Nos.8490-8492 of 2020*, in which Hon'ble Supreme Court reiterated the guidelines and directions issued in *Rahul Yash Shaha vs. Jindra Kumar Gandhi (2021) 6 SCC 418* for conduct of execution proceedings.

..2..

3. This matter is more than ten years old. Considering these facts, it appears the judgment debtor No.1 is passed away on 17/10/2025 and no steps have been taken by the decree holder to proceed further. In spite of sufficient opportunities, decree-holder has not effectively proceeded with this matter. It appears that, decree-holder is not interested in proceeding further. Therefore, the negligible conduct of authorized person on behalf of decree holder compels me to dismiss the matter. Hence, this matter stands dismissed in default for want of prosecution.

Islampur.

Date: 05/08/2026.

(Shitaladevi S. Latwade-Kharoshe)

Jt. Civil Judge Senior Division,
Islampur.

CERTIFICATE

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

Name of the Stenographer : S. P. Pethkar.

Court : Jt. Civil Judge Senior Division,
Islampur.

Judgment/Order signed by

the Presiding Officer on : 05/08/2026.

Judgment/Order uploaded on : 05/08/2026.