

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
EXECUTION APPLICATION NO. 129 of 2012
ARB/CASE/ARB/SVC/R/124/2009**

The Shamrao Vithhal Co-op. Bank Ltd. Decree Holder
Vs.
Apeksha Enterprises & Ors. Judgment Debtor
And
Vijay Warty Third Party Claimant

Mr. Vishal Narkar, Advocate for Decree Holder

Before : Mrs. Shonali K. Dighe
Commissioner for Taking Accounts
Date : 5th October, 2023

CALLED FOR DIRECTIONS :

1. Today, matter is listed under caption 'For Directions'. Proclamation of Sale is already settled vide Order dated 13th September, 2023; whereas duplicate of Warrant of Sale taken for extension of returnable date of Warrant of Sale by Advocate for Decree Holder on 21st July, 2014 is not submitted and, therefore, even though draft of Proclamation of Sale is lodged by Advocate for Decree Holder, the same cannot be settled.
2. Ld. Advocate for Decree Holder submits that, as duplicate of Warrant of Sale is not traceable, vide Application dated 17th August, 2023, he has applied for Certified Copy of Warrant of Sale; whereas till date, he has not received the Certified Copy. Ld. Advocate for Decree Holder is directed to submit this office the certified copy of Warrant of Sale as and when the same is received. Office is directed to act on the Certified Copy so received from the Advocate for Decree Holder and settle the draft of Proclamation of Sale accordingly. Ld. Advocate for Decree Holder is further directed to submit duplicate of Warrant of Sale as and when the same is traced. Order accordingly.

05.10.2023

Commissioner for Taking Accounts