

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

WRIT PETITION NO. 4433 OF 2014

EXEDY INDIA LIMITED. THR. ITS PERSONNEL MANAGER  
VERSUS  
SARASWAT CO-OPERATIVE BANK LTD. AND ANOTHER

...

Advocate for Petitioner : Mr. V.B. Kale

...

CORAM : V.K. JADHAV, J.

Dated: January 16, 2015

...

**PER COURT :-**

1. Heard Shri V.B.Kale, the learned counsel for the petitioner.

2. The petitioner has challenged the order passed by the Adhoc District Judge-1, Aurangabad below Exh.11 in R.D.No.323/2013 dated 12.2.2014.

3. On perusal of the impugned order, it appears that, the J.D./Respondent No.2 herein has failed to satisfy a decree passed against him in Arbitration case. The J.D.has shown his readiness to pay the decretal amount @ Rs.3,000/- p.m. The J.D./Respondent No.2 is under the employment of the petitioner. The learned Judge of the executing Court has directed the petitioner/disbursing officer to deposit the said amount of Rs.3,000/- p.m. until realization of the decretal amount in the Court.

4. It appears from the impugned order that the order passed under order XXI Rule 46 of the Civil Procedure code. In fact, the order is passed under Order XXI Rule 48-A which empowers the executing Court to attach the salary/allowances of the private employees and to direct the disbursing officer of the employer of such a private employee to remit to the Court the amount due under the order or monthly installments, as the case may be. The order impugned in this petition is legal, proper and correct calls for no interference.

5. Writ Petition is devoid of any merits. Writ petition is thus dismissed. No costs.

**( V.K. JADHAV, J. )**

...

aaa/-