

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Writ Petition No.1586 of 2015

(Smt. Jayshree w/o Nitish Bharadbhunje v. Shri Krishna s/o Ramkrishna Dahikar
and another)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's order

Court's or Judge's orders

Shri S.A. Chaudhari, Advocate for Petitioner.
Shri J.M. Gandhi, Advocate for Respondent No.1.
Shri M.S. Sharma, Advocate for Respondent No.2.

Coram : R.K. Deshpande, J.

Date : 28th August, 2015

Shri Gandhi, the learned counsel appearing for the respondent No.1, concedes to the position that all the objections to the executability of the decree can be raised in the execution proceedings.

The petitioner is the purchaser of the suit property during the pendency of appeal filed by the defendant, the vendor of the suit property. In view of this, there is no question of interference in the order impugned in this petition. The petition is dismissed. Needless to say that all questions touching the executability of the decree are left open to be decided in the execution proceedings, if such occasion arises.

Judge.