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

WRIT PETITION NO.6057 OF 2014

[Ramkrushna Vitthal Awate .vs. Ashok Vyankatesh Pinjarkar and others]

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

Shri A.S. Mehadia, Advocate for the petitioner,
Shri A.J. Thakkar, Advocate for respondent no.1.

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CORAM : R.K. DESHPANDE, J.
DATED : SEPTEMBER 06, 2016.

The challenge in this petition is to the order dated 31.7.2014 passed below Exh.127 by the Executing Court in R.D. No.3/1996. The objection raised by the petitioner that a sale of the property, without attaching his 1/5th share in the property, has been rejected.

It is not in dispute that the entire property was attached sometime in the year 2001 and the attachment order has not been released or vacated, the entire property stands attached. If the petitioner has 1/5th share in the entire property, that shall be put to auction and hence the grievance of the petitioner that the property has not been attached, does not survive. The writ petition is dismissed.

JUDGE

Gulande

C E R T I F I C A T E

"I certify that this order uploaded is a true and correct copy of original signed order."

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