

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 12122 OF 2018

SANKET SUBHASH PATHADE
VERSUS
UTTAMCHAND KISHANCHAND PATHADE AND OTHERS

...
Advocate for Petitioner : Shri Godhamgaonkar P. G.
Advocate for Respondent 1 : Shri Suryawanshi Surendra V.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: October 31, 2018

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PER COURT :-

1 The petitioner is aggrieved that his application Exhibit 75 in FD No.3 of 2011 has not been decided and is kept pending by the executing Court.

2 Learned Advocate for respondent No.1, who is original decree holder as well as judgment debtor makes a statement, on instructions, that application Exhibit 75 has been decided in 2016.

3 Apparently, either the petitioner or respondent No.1 is making a statement based on incorrect information from their respective clients.

4 Considering the prayer putforth, I do not find that this petition deserves to be kept pending and can be disposed off with a direction to the executing Court to decide application Exhibit 75 within six weeks from today, if not already decided.

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
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2-WRIT PETITION NO. 12122 OF 2018

5 In view of the above, this petition is disposed off with a direction to the executing Court to decide Exhibit 75 in FD No.3 of 2011 within six weeks from today, if not already decided. The executing Court would grant one opportunity to this petitioner to canvass his submissions on Exhibit 75 and shall not grant any adjournment.

(RAVINDRA V. GHUGE, J.)

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