

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO.4823 OF 2019

RAFIQ YUSUF SAYYED
VERSUS
BHIMSINGH GULABSINGH TAHKUR

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Advocate for Petitioner : Shri Kazi S.S.

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CORAM : RAVINDRA V. GHUGE, J.

Dated: July 04, 2019

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PER COURT :-

1. The petitioner / judgment debtor is aggrieved by the order dated 29.3.2019, passed by the executing Court, below Exhibit 144, in RD No.9 of 2012. Learned Advocate specifically points out purshis Exhibit 73 and submits that it is a declaration by the petitioner before the executing Court on 4.3.2016, that the decreed suit property has been vacated by the petitioner and the physical possession is already given to the landlord. His grievance is that though he has shifted his electricity meter from the suit property to another property, abutting the suit property, and which is not owned by the decree holder, the executing Court has directed the disconnection of the electricity connection.

2. I find from the impugned order that the executing Court has issued the following directions:-

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“ The concerned officials of the electricity company are directed to disconnect the electricity connection in the name of the judgment debtor consumer No.603010192117 in the suit property immediately.”

3. Learned counsel for the petitioner has made a statement in all solemnity that the above mentioned electricity meter bearing the said consumer number has been shifted to a different property and that has nothing to do with the suit property.

4. Considering the above statement made on instructions to the Court, this petition is disposed off, with liberty to the petitioner to bring this aspect to the notice of the executing Court and pray for an order as deemed appropriate.

(RAVINDRA V. GHUGE, J.)

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