

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

10 WRIT PETITION NO. 3055 OF 2003

MOHAN DAGADU DESHMUKH
VERSUS
DAGDU SADASHIV DESHMUKH AND OTHERS

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Advocate for Petitioner : Mr. S. T. Shelke
Advocate for Respondent Nos. 1 & 2 : Mr. P. R. Katneshwarkar

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CORAM : V. K. JADHAV, J.
DATED : 20th JANUARY, 2020

ORDER :-

1. Heard Both sides.
2. The suit is of the year 1992, wherein decree came to be passed in the year 1998. In Regular Darkhast seeking execution of the decree, the original decree holder i.e. the petitioner herein has filed an application Exhibit 26 for attachment of the property and also to award civil imprisonment to the original judgment debtor/respondent herein. By the impugned order, the trial court has rejected the application. By efflux of time, this Writ Petition has become infructuous. There is no point in proceeding with this Writ Petition wherein civil imprisonment is sought as against the judgment debtor in execution of the decree of partition and

separate possession. If the said Regular Darkhast is still pending, the executing court may proceed with the same and dispose it off as expeditiously as possible. The Writ Petition is accordingly disposed off. Rule discharged.

(V. K. JADHAV, J.)

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