

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

CIVIL REVISION APPLICATION NO. 39 OF 2020

Vijay Rabhaji Kolpe	... Applicant
Versus	
Dhyaneswar Vijay Kolpe and others	... Respondents
....	
Mr. Sanket S. Kulkarni, Advocate for the applicant	
....	

CORAM : R. G. AVACHAT, J.

DATED : 24th FEBRUARY, 2021

PER COURT :-

. Heard.

2. The challenge in this revision application is to the order dated 13.02.2020 passed below Exh.22 in execution proceedings (Regular Darkhast) No.1 of 2019.

3. According to the learned Advocate for the applicant, the order directing payment of interim maintenance is unexecutable by resorting to the execution proceedings. Section 36 of the Code of Civil Procedure is an answer to the submission made by the learned Advocate. Section 36 CPC, reads thus:

“36. Application to orders. - The provisions of this Code relating to the execution of decrees (including provisions relating to payment under a decree) shall, so far as they are applicable, be deemed to apply to the execution of orders (including payment under an order).”

4. Since the provisions of CPC relating to execution of decree are deemed to apply for execution of orders including payment under orders, the revision application is devoid of merits. The same is therefore, dismissed.

[R. G. AVACHAT, J.]

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