

SA Pathan

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.15720 OF 2023

Grampanchayat Gandhinagar

... Petitioner

V/s.

Micro & Small Enterprises Facilitation
Council, Pune & Anr

... Respondents

SHABNOOR
AYUB
PATHAN
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SHABNOOR AYUB
PATHAN
Date: 2023.12.18
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Mr. Sunny Udasi, for Petitioner.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 18, 2023

P.C.:

1. The order impugned in the writ petition is passed by the Executing Court, issuing warrant for recovery of decretal amount Rs.11,80,000/-. By the impugned order, the Executing Court has directed the judgment debtor to file an affidavit giving details of assets of judgment debtor.

2. Learned Advocate for the petitioner is unable to point out that the award was challenged before the Superior Court. In absence of stay by the Superior Court restraining the Executing Court from executing the award, it is always open for the Executing Court to execute the award as it is the decree of Civil Court.

3. In furtherance of such power, it is within the power of Executing Court to issue directions, directing judgment debtor to disclose his assets within the period of 30 days. The order cannot be termed as unreasonable. Hence, no interference is called for.
4. The writ petition is dismissed. No costs.
5. Period of 30 days is extended by one week from today.

(AMIT BORKAR, J.)