

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 532 OF 2023

Sahrad Radheshyam Saraf__ Vs. __ Prasad Prabhakar Wakhare

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. U.M.Aurangabadkar, Advocate, for the petitioner

CORAM : AVINASH G. GHAROTE, J.

DATE : 13/02/2023

1] The impugned order dated 20.7.2022 seeks to deposit the attached movable property, which has been given in the custody of the petitioner upon attachment in execution proceedings.

2] Though there is no provision for giving the attached property in the custody of the decree-holder, which in the present case is movable property, since the decree-holder is already in possession of the movable property, the application has been rejected.

3] Mr. Aurangabadkar, learned counsel for the petitioner upon instructions makes a statement that in case the application Exh.23 for sale of the attached property is directed to be decided within stipulated period of time, he would be satisfied.

3] Accordingly writ petition is dismissed. The executing Court is requested to decide Exh. 23 within one month from today.