



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

955 CIVIL APPLICATION NO. 7825 OF 2024
WITH ARB/30/2019

ECOM AGRO INDIA PVT. LTD.

VERSUS

SHREE BIJASANI GINNING FACTORY, THRU. ITS PROPRIETOR
NIRMALBAI KEDARMAL GOEL AND OTHER

...

Advocate for Applicant : Mr. Ajeet D. Kasliwal (*Through V.C.*)

Advocate for Assist to Court: Mr. S. V. Natu

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CORAM : ARUN R. PEDNEKER, J.

DATE : 22nd OCTOBER, 2024

PER COURT:

1. The civil application is filed for warrant of attachment of property of the respondents in execution of the award. The Judgment debtors are served in the matter.
2. With the assistance of Mr. S. V. Natu, learned amicus curiae, I have perused the record. The present award satisfies the requirements of Section 44 of the Arbitration Act. The Award is, thus, enforceable under Part-II, Chapter-1 and Section 49 of the Arbitration Act.
3. In terms of Order 21 Rule 54 of the CPC, the present application for attachment of the property is prima facie maintainable.

4. In view of the same and also considering the fact that in the 7/12 extract of the agricultural land shows that the landed property is owned by the judgment debtors, the present civil application is allowed in terms of prayer clause “B”.

5. In view of the order 21 Rule 54 of the CPC, the property bearing Block No.285/1/4 situated at village Sendhwa, District Barwani admeasuring 0.4050 Hectare is attached under Order 21 Rule 54 of the CPC.

6. Registry to issue necessary proclamation in terms of Order 21 Rule 54 of the CPC, in Form No.24 Appendix ‘E’.

7. The concerned court within which jurisdiction the property is situated to take necessary steps for proclamation.

8. Issue notice to the respondents, returnable on 27.11.2024, to enable the judgment debtors to appear before this court to object to the present order of attachment.

9. Stand over to 27.11.2024.

[ARUN R. PEDNEKER, J.]