



shakuntala

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO.94 OF 2024

ARUN GOVIND CHAVAN

... PETITIONER

Versus

SHRIRAM TRANSPORT FINANCE CO. LTD.
AND ANR

... RESPONDENTS

Mr. Nilesh V. S. Shirodkar, Advocate for the Petitioner.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 22nd August, 2024

ORAL ORDER.

1. Heard Mr. Shirodkar learned counsel for the Petitioner.
2. The present petition is filed challenging the order dated 19.07.2023 by which the learned Executing Court rejected the objections filed by the Petitioner and then issued the show cause notice as to why he should not be arrested and be detained in the Civil Prison.
3. Though the matter is stayed by Order dated 09.08.2023 by this Court, one thing is clear that the impugned order clearly goes to show that the Petitioner is asked to show cause as to why he should not be placed in Civil Prison for not satisfying the award.
4. Mr. Shirodkar now submits that the Petitioner will file his reply to the show cause notice in order to satisfy the Executing Court that the

Necessary
correction carried
out as per order
dated 26.08.2024

entire amount of the ~~award~~ ^{loan} is already paid.

5. Since the impugned order is only issuing show cause notice to the Petitioner, an opportunity could be given to the Petitioner to approach the Executing Court and to file a reply to such show cause notice.

6. The Executing Court shall decide such show cause notice on receiving a reply from the Petitioner, in a time-bound manner and preferably within a period of one month, since the execution proceedings are of the year 2014.

7. In view of the above decisions, the petition stands disposed of by giving liberty to the Petitioner to file reply to the show cause notice so as to satisfy the Executing Court about the payment of the entire loan amount.

8. Needless to mention that this Court has not gone into other contentions raised in the petition. It is for the Petitioner to satisfy the Executing Court.

9. Proceedings stands closed.

BHARAT P. DESHPANDE, J.