

Kavita S. J.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

EXECUTION APPLICATION NO. 602 OF 2022

WITH

EXECUTION APPLICATION NO. 603 OF 2022

Sushma @ Susama Sukumar Samanta

...Plaintiff

Versus

Ashok Suryakant Zeveri (Since deceased) & Ors.

...Defendants

Mr. Sukumar Samanta, Constituted Attorney of Applicant in person
present.

CORAM : R.I. CHAGLA, J.

DATE : 24TH JANUARY, 2024.

ORDER :

1. The Execution Applications are pending. However, by order dated 14th August, 2018, the learned Single Judge of this Court had already decided the Interim Applications which were pending before this Court as well as all Interim Applications filed therein. The learned Single Judge of this Court had also directed the Decree Holder and Sukumar Samanta not to directly approach any Department, Section or Officer of this Court or any other Court in

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Mumbai in regard to the subject Decree under any circumstance without specific leave of the Judge taking Chamber work. Further, no application of any kind is even to be filed without such leave and the Registry is not to accept or number any such application.

2. The learned Single Judge has accordingly forwarded the copy of Award to the Registrar General and Prothonotary and Senior Master of this Court with request to circulate copies to the Section Head of every Department of this Court. Further, the Registrar General and the Prothonotary and Senior Master of this Court have requested to ensure that this entire record is preserved until further orders and that no part of it is sent for destruction even in the routine course.

3. There is a final warning issued by this Court in the said order to Sukumar Samanta who appears in person present today, not to revive or renew any Execution Application. The learned Single Judge of this Court after issuing final warning, has made it clear that any attempt to revive or renew any Execution Application in this manner i.e. beyond the properties decreed, will be summarily dismissed and will be visited with punitive costs equivalent at least to

the current market value of the properties that were the subject matter of the Suit.

4. Considering that the Execution Application No.602 of 2022 and Execution Application No.603 of 2022 were lodged on 27th April, 2022, after passing of the order dated 14th August, 2018, the Execution Applications ought not to have been filed given the said order dated 14th August, 2018. Hence, the Execution Applications are dismissed.

[R.I. CHAGLA, J.]