



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

WRIT PETITION NO. 4311 OF 2024

(M/s Gandhi Electricals, Thr. Its Partners

Vs.

Sanjay s/o Avinashchandra Kapoor & Anr.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.V. Bhutada, Advocate for the Petitioner/s.

CORAM: N.R. BORKAR, J.

DATED : 22nd JULY, 2024

Heard.

2. This Petition takes exception to the order dated 25.06.2024 passed by Executing Court below Exh.15 in Small Cause Darkhast No.61/2022.

3. Mr. Bhutada, learned Counsel for the Petitioners, submits that issue of nullity of decree was raised before the Executing Court. However, the Executing Court refused to entertain the said issue on the erroneous ground. The learned Counsel for the Petitioners, in the alternative submits that the Petitioners are ready to hand over 100 Sq.ft. premises out of 200 Sq.ft., premises in their possession.

4. In view of the above statement, issue notice to the Respondents, returnable on **12.08.2024**.

5. The Petitioners are permitted to file an application for adjournment before the Executing Court. If such application is filed, the Executing Court shall adjourn the execution proceeding beyond 12.08.2024.

(N.R. BORKAR, J.)

SD. Bhimte