

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11522 OF 2025

Suhas Kashinath Pawar

.....Petitioner

Vs.

Krushnat Eknath Suryavanshi

.....Respondent

Mr. Utkarsh Desai, for the Petitioner.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : 9th October 2025

PC.:-

1. The Petitioner is facing execution of money decree. The Executing Court has issued warrant for execution of decree and attachment of immovable property.

2. On 8th January 2025, when Court Bailiff went to house of Petitioner in pursuance to execution of recovery warrant, he faced obstructions at hands of Petitioner/Judgment Debtor. Bailiff reported obstruction to Executing Court with details in this regard.

3. Eventually, Respondent/Decree holder filed an Application for police aid for execution of attachment warrant. Eventually, impugned order has been passed at exhibit Nos.14 & 15

in Special Darkhast No.1 of 2022.

2. Learned counsel appearing for Petitioner relying upon Order 21 Rule 25 of Civil Procedure Code, submits that if obstruction was noticed by Bailiff, it was for Executing Court to examine him and ascertain correctness of report. He endeavors to impress upon Court that, Petitioner was not at home when Bailiff visited, Petitioner attended Court. In support of his contentions, he relies upon Roznama recorded by learned Civil Judge, Senior Division, Kolhapur in special Civil Suit No.132 of 2014, in case of Sobha Subhas Pawar Vs Babaso Shripati Mane.

3. Having considered submission advanced, it can be observed that there is no dispute that money decree has been passed against Petitioner and in pursuance of that decree attachment warrant has been issued by Executing Court.

4. Apparently, on basis of Bailiff report regarding obstructions to execution decree at the hands of Petitioner, Executing Court granted police aid in favour of Decree Holder under impugned order.

5. It is not case of Petitioner that Executing Court exceeded its jurisdiction. When authorised officer of Court reported about

obstruction to execution of decree at the hands of Petitioner, Executing Court is justified to direct police aid for execution of decree.

6. No jurisdictional error can be found in impugned order.
7. In result, Writ Petition stands **rejected**.

(S. G. CHAPALGAONKAR, J.)