

Ms. Gauri S. Shah, for Petitioners.
Mr. Ajay A. Joshi, for Respondent.

DATE : 5 FEBRUARY 2025

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 17 March 2023 whereby the executing Court rejected the application of the Petitioners – decree holder to provide police aid to the decree holders to carry out agricultural operations for a period of 10 days. The learned Civil Judge was of the view that the Petitioners had not made out any exceptional or special circumstances which would warrant the exercise of jurisdiction under Section 151 of the Code, 1908, to grant the police aid.

3. It appears that the execution proceedings i.e. Regular Darkhast No.87 of 2012, is pending more than 13 years. A witness for the Petitioners is being cross-examined. There are allegations and counter-allegations. The order impugned in this Petition is of momentary nature. Thus, the proper course would be to decide the execution Petition itself in a time frame. Since a

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witness for the Petitioners is under cross-examination, the said witness shall appear before the executing Court on 17 February 2025.

4. Learned Counsel for the Respondent, makes a statement that the Respondent will not seek any adjournment and will cross-examine the said witness on the scheduled date.

5. In any event, the learned Judge seized with Regular Darkhast No.87 of 2012 is requested to make an endeavour to hear and decide Regular Darkhast No.87 of 2012 as expeditiously as possible and, positively, within a period of six months from 17 February 2025.

6. The Writ Petition stands disposed.

(N.J.JAMADAR, J.)