

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2515 OF 2026**

United Holding Corporation	..Petitioner
Versus	
Murari Dinesh Munim & Anr	...Respondents
 Mr. K.T. Kukreja, with Chandni Sabnani, i/b Suraj Dube, for the Petitioner.	

CORAM: N. J. JAMADAR, J.
DATE : 21st APRIL 2026

ORAL ORDER:

1. Heard the learned Counsel for the Petitioner.
2. The challenge in this Petition is to an order dated 11th December 2025 passed by the learned Civil Judge, thereby issuing notice to the Judgment Debtor under Order 21 Rule 22 of the Code of Civil Procedure, 1908 (“the Code”).
3. The learned Counsel for the Petitioner submitted that as the Execution Petition was filed within a period of two years, in view of the proviso to Order 21 Rule 22 of the Code, the learned Judge ought not to have issued notice to the Judgment Debtor. It was submitted that if the notice is issued there is likelihood of the Judgment Debtor withdrawing the amount from the bank.

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4. The learned Judge, City Civil Court has noted the submissions and also the fact that, in view of the filing of the Execution Petition within two years, the notice was not required to be issued to the Judgment Debtor.

5. However, the learned Judge has also noted that the Judgment Debtor has paid substantial amount to the Decree Holder, after passing of the decree. The Decree Holder has not brought on record any material to show that except the debts/money lying in the account of the Decree Holder, there is no other property to satisfy the decree.

6. The learned Judge was of the view that in the peculiar circumstances of the case, issue of notice to the Respondent-Judgment Debtor would not frustrate the decree.

7. In the face of the aforesaid reasons recorded by the Executing Court, the challenge to the impugned order on the ground that the notice ought not to have been issued to the Judgment Debtor does not merit countenance, in exercise of the supervisory jurisdiction.

8. Petition stands dismissed.

[N. J. JAMADAR, J.]