

**BEFORE MAHARASHTRA REAL ESTATE APPELLATE TRIBUNAL
MUMBAI**

Ex. No. 5/2022

IN

APPEAL NO. AT006000000052848/20

Mrs. Shikha Ganguli

... Applicant

-VS-

Bhupeshbabu Karappan Nilliparambil

... Non-applicant

Ms. Sonam Singh, Advocate for Applicant.

None for Non-applicant.

CORAM : SHRI SHRIRAM. R. JAGTAP, MEMBER (J), &

DR. K. SHIVAJI, MEMBER (A)

DATE : 31st AUGUST, 2023

(THROUGH VIDEO CONFERENCE)

Learned counsel for Applicant, Ms. Sonam Singh joined the conference. None for Non-applicant.

2] Learned counsel submits that Civil Judge, Senior Division, Panvel, Dist.- Raigad has attached the property of the Non-applicant but for want of specific directions to court, did not put the said property to auction and requests to give further directions to the Civil Judge, Senior Division, Panvel, Dist.-Raigad for putting the attached property on auction.

3] A perusal of record would show that pursuant to the warrant of attachment of property of the judgement debtor/Non-applicant Civil Judge, Senior Division, Panvel, Dist.-Raigad attached the property of Non-applicant. Order 21 Rules 64 and 65 talk about the sale of attached



property to satisfy the decree. Therefore, Registrar is directed to issue precepts to Civil Judge, Senior Division, Panvel, Dist.-Raigad requesting the court to auction the property as per provisions of section 46, Order 21 Rules 64 and 65 of the Code of Civil Procedure and sale proceeds be credited to this Tribunal.

4] Registry to take follow up.

5] Learned counsel seeks time to update the status of another warrant issued to the Civil Judge, Senior Division, Belapur, Dist.-Thane for recovery of warrant.

6] Stand over to 11th Oct. 2023 for further consideration.



(DR. K. SHIVAJI)

MS/-



(SHRIRAM R. JAGTAP)