

**BEFORE THE MAHARASHTRA REAL ESTATE
APPELLATE TRIBUNAL, MUMBAI**

**MISC. APPLICATION NO. 50 OF 2021(Arrest Warrant)
EXECUTION APPLICATION NO. 59 OF 2019
IN
APPEAL NO. AT006000000010679 OF 2018**

Mr. Sandeep S. Jadhav
-VS-

.. Applicant

M/s Rahul Excellence

.. Non-Applicant

Adv. Mr. Mahadeo Ghadge for Applicant.

Adv. Ms. Sneha Ramnathan for Non-Applicant.

**CORAM : SHRIRAM R. JAGTAP, MEMBER (J) &
DR. K. SHIVAJI, MEMBER (A)**

DATE : 21st August, 2023.

(THROUGH VIDEO CONFERENCING)

Adv. Ms. Sneha Ramanathan seeks time to file reply to show cause notice.

2] The record shows that vakalatnama is not filed on behalf of non-applicant. The matter is old-one. The progress of the matter is at standstill only because of non-applicant. The record shows that the non-applicant has miserably failed to comply with order passed by this Tribunal despite having sufficient means. Therefore, we are of the view that a warrant of arrest of judgment debtors needs to be issued.

3] Applicant is directed to deposit subsistence allowance as per provisions of Order 21 Rule 39 of the Code of Civil Procedure. As soon as

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the decree holder deposits amount in the Court sufficient for the subsistence of the judgment debtor from the time of his arrest, the Registry is directed to issue warrant of arrest of judgment debtor. The Registry is directed to send warrant of arrest to the District Court Kalyan for its execution.

4] Stand over to 25th September 2023 for depositing subsistence allowance and issuance of arrest warrant of judgment debtor.


(DR. K. SHIVAJI)


(SHRIRAM R. JAGTAP)

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