

MHKO130002662018



ORDER BELOW EXH. 1 IN DIARY APPLICATION NO. 01/2018.

(Dudhganga Vedganga Sahkari Sakhar Karkhana Bidri through Mahadev Patil Vs
Pandurang Patil)

This application is filed by the D.H. for getting transfer decree certificate in order to execute the decree passed in RCS No. 126/2012.

2. It is seen from the present application and title clause of judgment passed in RCS No. 126/2012 that the J.D.'s are residing at Nigave Khalsa, Tal. Karvir, Dist. Kolhapur. It is also contended by applicant that the property of J. D. also situated at the place of their resident. As per section 39(4) of the Code of Civil Procedure the Court has no authority to execute decree against the person or property situated outside local limit. Therefore, it is necessary to issue transfer certificate to get the fruit of decree passed in RCS No. 126/2012 to D.H. Hence, following order is passed.

ORDER

1. Issue transfer decree certificate to D.H.
2. D.H. shall furnish necessary certified copies of decree passed in RCS No. 126/2012 in order to send transfer decree certificate.

Date: 05/10/2019.

Sd/-
(V. H. Khedkar)
Jt. C.J.J.D., Kagal.