

Ex.No.139/2023

G.P.A. holder of Decree holder requested to issue sale notice in relating to the property described in the petition.

G.P.A. holder of decree holder filed the certified copy of judgment of O.S.No.20/2017, certified copy of decree of

O.S.No.20/2017, photocopy of the G.P.A., photocopy of the order sheet of O.S.No.20/2017, photocopy of the report of bailiff, R.T.C., certified copy of the Will dated 06.10.1975, demand registration, endorsement dated 30.12.2023 issued by Officer of Right to Information. Affidavit in respect to surnames.

G.P.A. holder of plaintiff had filed O.S.No.20/2017. The Hon'ble Prl. Senior Civil Judge and C.J.M. made over the case of this court on 15.02.2017. This court issued warrant for attachment before judgment. On 27.03.2017, bailiff reported that, property was attached before judgment. Judgment and decree are revealed that, on 02.02.2023 this court decreed the suit. G.P.A. holder of plaintiff filed the present petition for executing the decree of O.S.No.20/2017. Judgment debtor represented through the learned counsel in answer to the cause notice. The judgment debtor did not submit any material in contrary to the documents produced by the G.P.A.

holder of decree holder. Judgment debtor did not submit any document to show that, she questioned the judgment and decree by filing the appeal. It clearly reveals that, the judgment and decree are attained the finality. The petition schedule property was attached before the judgment. For that, it is require for re-attachment.

G.P.A. holder of decree holder filed the affidavit and stated that, in a Gowda Saraswatha Brahmana community, the surname "Shenoy" was formerly/ alternatively used to be called as "Shanbhogue". It was mentioned in the Will executed by the father of judgment debtor. It clearly reveals that, the surname of defendant/judgment debtor noted in the judgment and decree and surname noted in the record of rights are one and the same. Judgment debtor did not comply the decree. For that, issuance of sale notice is required. Issue sale notice on or before 20.07.2024. The date is

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fixed for the sale at spot as on 09.08.2024. The date is  
fixed for court sale as 23.08.2024.