

Mohanlal Vs. Mangilal

Mohanlal Vs. Mangilal

SooperKanoon Citation : sooperkanoon.com/512376

Court : Madhya Pradesh

Decided On : Jul-17-2001

Reported in : II(2002)ACC34

Judge : S.B. Sakrikar, J.

Appellant : Mohanlal

Respondent : Mangilal

Judgement :

ORDER

S.B. Sakrikar, J.

1. Applicant/Judgment-Debtor has directed this revision against the order dated 14.2.2000 passed by the MACT, Rajgargh District Bioara (Executing Court) thereby directing attachment and sale of the bus No. MBH-7035, in execution of the award passed in favour of N.A. 1 and 2.

2. The learned Counsel for applicant submitted that before the attachment of the said bus, a show cause notice was issued to the applicant for furnishing the details with regard to the disputed bus. In reply to the notice, the applicant has filed the registration, insurance and the other papers with regard to the alleged bus. The papers filed before the Executing Court indicate that the applicant is not a registered owner of the bus in question. The bus is registered in the name of one

Ramesh Chandra Bhavsar, a resident of Jeerapur. Even in view of the aforesaid facts, the Court ordered for the attachment of the said bus in execution of the award passed by the MACT against the applicant. The learned Counsel submitted that the order of attachment is illegal.

3. Considering the submissions of the learned Counsel and on perusal of the impugned order as also the copies of the papers filed along with the revision petition, it emerged that the bus in question is registered in the name of one Ramesh Chandra Bhavsar. Even then, the Executing Court directed attachment of the said bus in execution of the award passed against the applicant. Taking it for granted that the registered owner of the alleged bus is not applicant but some other person even then the applicant has no locus standi to challenge the order impugned passed by the Executing Court directing attachment of the said bus registered in the name of one Ramesh Chandra Bhawasar. The alleged registered owner Ramesh Chandra Bhavsar has not filed any objection before the Executing Court neither he has filed any revision against the impugned order of the Executing Court. As such, this revision petition filed on behalf of the applicant deserves the fate of dismissal on the ground that the applicant has no 'locus standi' to challenge the order impugned passed by the Executing Court.

4. In the result, the revision petition is devoid of any merit and substance and the same is accordingly dismissed without any orders as to costs.