

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
EXECUTION APPLICATION LD. NO. OF 2018

Sr. No	REQUISITION LIST
1.	Execution Application is not in proper Format. (Pl. see Form No.45 of High Court (O.S.) Rules,1980.
2.	Whether the cause title of the Execution Application is as per the cause title of the Award/ Decree.
3.	Whether Execution Application and Affidavit in Support is affirmed or if Notarized , then Sr. No. of Document Register and Seal of Notary on each page including Exhibits.
4.	The claim/Awarded amount and interest shown in Colum “G” of Execution application is not calculated correctly . To be checked and calculated correctly.
5	Colum” J” (The Mode in which the assistance of the court is required) not Properly set out.
6.	The full Description of the immovable property, sufficient to identify the same not mentioned in Schedule of the Property in Colum “J” (Pl. see O.21 Rule.13 (a) of CPC,1908
7.	The Specification of the Judgment –Debtor’s share or interest not mentioned in Colum “J” (Pl. see O.21 Rule.13 (b) of CPC,1908.
8	<p><u>The following averments to be mentioned in the Affidavit in support of the Execution Application:-</u></p> <ul style="list-style-type: none"> i) The application is filed within time and not barred by Law of Limitation. ii) The Award, has been passed ex-prate by the Arbitrator. iii) The application is filed within two years from date of Decree/Award, Hence no notice is required to against the Respondent, Under order 21, Rule 22 of CPC,1908. Or /The application is filed after the two years from date of Decree/Award, Hence notice is required to issue against the respondent, Under Order XXI, Rule 22 of CPC,1908. iv) The date of service of Award upon the Respondents along with Proof of Service of Award. When a period of 90 day challenging award under the provision of section-34 of Arbitration & Conciliation Act-1996, has been expired. v) No appeal/ Petition under section-34 of Arbitration & Conciliation Act-1996, challenging a Decree/ Award has been filed by the Defendants/ Respondents and there is no stay order granted by Hon’ble Court against the execution of the Decree/Award. vi) Whether the decree holder moving in execution has checked the available on-line databases and registries for registered charges, or has been able to ascertain independently that the property mentioned in columan “J” belongs to the judgment debtor and is capable of being put into execution. Vii) Defendants and same are situated within the jurisdiction of this Hon’ble Court.2/-

	<p style="text-align: center;">.....2.....</p> <p>vii) Decreeal /awarded amount, including rate of interest.</p> <p>Viii) Whether any part payment/ Adjustment made by the Respondent/Defendant subsequently to the award/ Decree.</p>
9	Whether Vakalatnama is as per Form No.5 or Note of Appearance as per form No.4 of High Court (O.S.) Rules,1980. Affix Court fees of Rs. 20/- on the application and Rs. 15/- on Vakalatnama.
10.	Mention Full title of Decree/ Award in the Vakalatnama and to be signed by Advocate for the applicant with full Address /O.S. Registration Number and mention Whether the Advocate is a member of Welfare Association or not if yes put Rs.2 additional stamp of Welfare Fund Council. Signature with Full Name /Designation of the Applicant/ Date to be mentioned in the Vakalatnama and annex Copy of Authority Letter/ Power of Attorney to be Certified as true copy by the Advocate for the Applicant.
11.	Certified copy of the Decree/ Award (Certified True Copy by the Arbitrator only) to be filed .
12.	If Award / Decree is in vernacular Language then annex Official Translation of the Decree/ Award.
13.	Obtain appropriate order from the Hon'ble Court regarding Chamber Summons as stated in column "J"
14	Part Satisfaction Certificate to be issue.
15.	All Exhibits mentioned in the Affidavit in Support of the Application to be Certified as a true copy by the Advocate for the Applicant. Exhibits to be marked in margin of the affidavit.
16.	Initial against corrections by the advocate on record with date.
17.	Application should be arrange in the following manner:- 1) Index, 2) Proforma ,3)Execution Application 4) Affidavit ,5) Exhibits 6) Original Decree/ Award, 7) Vakalatnama and Docket. (Card Board Docket on both side)
18.	<p><u>Endorsement of Affirming officer/Associate/Notary regarding seen Org. Power of Attorney/Resolution/Authority Letter below the Affirmation</u></p> <p>Note:-Remove Requisition Nos._____within a period of One month from the date of the Requisitions, failing which the application shall be placed before The Prothonotary and Senior Master, for rejection under rule, 986 of Bombay High court (original Side) Rules 1980.</p> <p style="text-align: center;">MASTER & ASST.PROTHONOTARY (Adm)/ ASSOCIATES / MASTER (Adm)</p> <p>Date:</p>