

Court of Principal District Judge, Nawada

Execution Case No.- 43/2017

Magma Fincorp Ltd.

Versus

Jitendra Kumar and another

08.07.2026

No action has been taken on behalf of the decree holder. On repeated call no one appeared. On perusal of record it appears that the case is fixed for hearing on admission but decree holder is remaining absent for eight consecutive dates since i.e. 03.04.2025. As per Sec.-141 of C.P.C. "Miscellaneous Proceedings- the procedure provided in this court in regard to suits shall be follow, as far as it can be made applicable, in all proceeding in any court of civil jurisdiction." It is well settled that execution proceeding also falls in the category of civil proceeding. It seems that decree holder has lost interest in this case. Therefore, it is not proper to keep the case pending and the same is dismissed for default. Office is directed to consign the case record in record room, Nawada.

Dictated


Principal District Judge