

PARTITION EXECUTION-07/16.

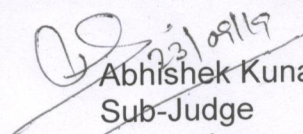
23-09-19: 1. Today the record is fixed for order on petition dated: 15-03-19 through which the decree holder has submitted that in Partition Appeal No-47/16, on 16-05-18, a "six months" stay was imposed by LD ADJ-I Samastipur in this execution case(Partition execution case No-07/16) which has been now expired on 15-11-18 as well as Decree holder is ready to deposit the fee of LD SKPC, so now , Court should pass an order to issue writ to LD. SKPC, so that decree may be executed.

2. Rejoinder has also been filed on behalf of Judgment debtor through which he had opposed the petition of decree holder.

3. Heard the argument of both parties. From perusal of order dated: 16-05-18, passed in Partition appeal no-47/16, it is very much clear that vide that order, a six months stay had been imposed on this execution case and after cessation of that period a liberty has been given to respondent to make prayer for vacation of that stay order before that court. In that situation, **the petitioner is hereby directed to bring vacation order from that Ld. Higher court** where the partition appeal no-47/16 is pending, until then this petition (of Judgment Debtor) dated: 15-03-19 of this Partition Execution No-07/16 will remain in abeyance.

4. The moment the vacation order will be received on this record, the hearing on this petition dated: 15-03-19 of Partition Execution-47/16 will be deemed resumed.

5. Put up the record on 14-10-19 for vacation order.


Abhishek Kunal
Sub-Judge
Samastipur
Dated: 23-09-19.