



**IN THE COURT OF PRINCIPAL CIVIL JUDGE
(R.R.PARMAR), TAL.AMOD, DIST.BHARUCH**

ORDER BELOW Exh. 1
(ORDER UNDER SEC. 39 r/w 42(2)(a) OF THE CIVIL
PROCEDURE CODE, 1908.

1. The present execution petition is filed by the decree holder for execution of the decree passed by this Court in Summary Arbitration Suit No. 612/2014 for recovery of Rs. 2,62,186/-.
2. The decree holder has submitted an application vide Exh. 62 wherein it is submitted that the judgment debtor is residing within the territorial jurisdiction of the Court of Civil Judge, Tal. Khergam, District Navsari, and the judgment debtor does not possess any movable property within the territorial jurisdiction of this Court. Therefore, the decree holder has prayed to transfer the decree to the competent court for execution.
3. On perusal of the record and proceedings, it appears that the judgment debtor resides within the jurisdiction of the Court of Hon'ble Principal Civil Court, Tal. Khergam, Dist. Navsari. Further, the decree holder had attempted to sell immovable property of J.D. situated within the jurisdiction of this court, but they had not succeeded.

4. As per the provisions of Section 39 r/w 42(2)(a) of the Code of Civil Procedure, 1908, the Court which is executing transferred decree, may also send it for execution to another competent court if the judgment debtor resides or has property within the jurisdiction of such court. Further, as per Section 39(4) CPC, this Court cannot execute the decree against a person or property outside its territorial jurisdiction.
5. Therefore, considering the request made by the decree holder vide application filed vide Exh. 62 and the provisions of law, it appears just and proper to transfer the decree for execution to the Court of Hon'ble Principal Civil Court, Tal. Khergam, District Navsari. Hence, the following order is passed:

-:: O R D E R ::-

1. The application of the decree holder filled vide Exh. 62 is hereby allowed.
2. The decree passed by this Court in Summary Arbitration Suit No. 612/2014 is ordered to be transferred for execution to the Court of Hon'ble Principal Civil Court, Tal. Khergam, District Navsari under Section 39 r/w 42(2)(a) of the Code of Civil Procedure, 1908.
3. The Office is directed to prepare and transmit the necessary papers as required under Order XXI Rule 6 CPC, including:
 - Certified copy of the decree
 - Copy of the judgment
 - Copy of the execution application

- Copies of relevant orders and proceedings
- 4. The office shall also issue the necessary certificate of non-satisfaction of decree and forward the same to the transferee court.
- 5. Accordingly, the present execution petition stands disposed of for the purpose of transfer of decree.

Pronounced and signed in the open court on dt. 20th May.
2026

Date : 20/05/2026
Place : Amod

Ravikumar R. Parmar
Principal Civil Judge,
Tal. Amod, Dist. Bharuch
(Judge Code : GJ 01603)

