

EX 100/2025

The decree holder has initiated the present proceedings for execution of decree dated 22.04.2019 in RA No. 56/2018 preferred against the judgment in O.S No. 97/2017, where in permanent injunction was granted against the judgment debtor restraining him from interfering with suit schedule property.

The decree holder has filed I.A No. 1 u/s 151 of CPC alleging that the judgment debtor has started to construct shed in the suit property violating the decree and sought police help to remove structures of the shed and recover the possession of the suit schedule property. He pleads urgency stating that if the shed is constructed the very purpose of the initiating the proceedings would be defeated.

Perused the judgment and decree passed in RA No. 56/2018. The Decree is dated 22.04.2019. After the lapse of almost 6 years the decree holder is filing this execution petition. Hence as per Order 21 rule 22 cause notice to the JDR is mandated. However the decree holder explaining the circumstances pleads urgency is seeking police help for recovery of possession.

Considering the nature and circumstance of the case and in view of mandate as per order 21 rule 22, this Court is of view that issuing cause notice and emergent notice on I.A no.1 by scheduling the next date of hearing in a short near future would meet the requirements of the decree holder. Accordingly, the court passes the following:-

ORDER

Issue cause notice and notice on I.A
no.1 to the JDR.

R/by 24.06.2025.

19-06-2025.

Addl. Civil Judge & JMFC.,
Challakere.