

Ex.46/2019

This case is taken up on board on the report submitted by the bailiff of this Court, C/o, the Jdr in this case is brought before this Court under arrest.

After having enquired with the means that this executing Court had issued A/W against the Jdr, accordingly the Jdr is produced by the Court Amin under execution of A/W .

As per report and as submitted by the bailiff and the Jdr, U/s 55 of CPC, the Jdr is produced soon after he was arrested. Opportunity given to Jdr of showing cause why he should not be sent to prison, but there is no resistance to the said cause notice issued earlier.

In this case, the D.Hr has filed this petition for execution of the judgment and award passed by this Lok Adalath for the recovery of awarded amount. That the Jdr has paid some part payment, today he had paid Rs.10,000/- and prayed to release him on the ground of illness.

Since the Jdr has made Rs. 10,000/- as part of EP amount, for payment in the mean time as per the submission of Jdr and learned counsel for the Dhr as well, the JDr has undertaken to clear the amount within two months after putting his land for sale and arrange money , therefore , an opportunity to be given to the Jdr. to satisfy the EP amount after making arrangement for payment of awarded money .

On inquiry, the Jdr appears to be an old aged person and suffering from illness therefore, I proceed to pass the following,

ORDER

The JDr is released U/s 59 of CPC on the ground of illness with a direction to clear the remaining amount as agreed and also as awarded by the Lok Adalath in the above mentioned case.

For balance payment.

Call on:30-07-2022.

Senior Civil Judge & JMFC.,
Holalkere.