

IN THE COURT OF THE PRL. CIVIL JUDGE AND J.M.F.C AT TARIKERE
ITINERATE AT AJJAMPURA

Ex.No.17/2024

Decree Holders
Sri. Puppanna and others

vs.

Judgment Debtors
Sri. Shekharappa and others

Date: 26.02.2026

Proceedings or Orders of the Judicial Officer

ORDERS ON IA.NO.I AND II

- 1.** I.A.No.I and II have been filed by the Applicants/ Decree Holders under Section 151 of CPC respectively with a prayer to direct the ADLR to assist the Surveyor to measure the petition schedule and fix the stone of encroached property and also accord police aid for execution of the delivery warrant.
- 2.** In the affidavits appended to the applications, it is commonly contended that the present execution case arises out of the decree passed for declaration and possession. When the Court had issued delivery warrant against the Judgment Debtors, resistance is shown by them for its execution. Hence, the prayer is to allow the application.
- 3.** The Judgment Debtors have remained absent throughout the present case.
- 4.** Learned Counsel for Decree Holders has made his submissions.
- 5.** Having heard and after perusal of materials placed on record, the sole point that would arise for my consideration is as under -

“Whether the Applicants/ Decree Holders have made out sufficient grounds to allow the applications in I.A.No.I and II?”

6. My answer to it is in the '**Affirmative**' for the following reasons -

7. The Court has already issued delivery warrant against the Judgment Debtors to deliver property mentioned in the Decree.

8. The Bailiff report shows that he has sought the assistance of the Taluk Surveyor for identification of the property and also to accord police aid for execution of the delivery warrant. When such being the case, it is just and necessary to direct the Taluk Surveyor to provide assistance to identify the property and in order to protect peace tranquility in the society, police assistance is very much necessary. No prejudice will be caused to the Judgment Debtors if this application is allowed. On the other hand, Decree Holders will be deceived with an opportunity if this application is rejected. If this application is rejected the whole purpose of getting the decree will be frustrated. With the aforesaid discussions, I answer the sole point which has arisen for my consideration in the '**Affirmative**' and proceed to pass the following -

ORDER

I.A.No.I and II filed by the Applicants/ Decree Holders under Section 151 of C.P.C stands allowed.

The Taluk Surveyor attached to A.D.L.R Office, Tarikere and SHO of Ajjampura PS is hereby directed to render proper assistance to the Court Bailiff during the execution of delivery warrant.

Re-issue Delivery Warrant against the Judgment Debtors to deliver property mentioned in the Decree, if P.F paid.

*Issue intimation of this order to the office of A.D.L.R Tarikere and SHO of Ajjampura PS.
Await D/W. Call on: 04.06.2026.*

sd/-

**P.C.J. & JMFC: Tarikere.
(Itinerate at Ajjampura)**