

ORDERS ON I.A.NO.8

1. I.A.No.8 is filed by the Dhr., U/O 21 Rule 43, 43(A) r/w Sec.151 of CPC seeking an order for issue of warrant to attach schedule moveable properties which are within the custody of Jdr.

2. The moveable properties are the vehicles and household articles as mentioned in the schedule.

3. In the affidavit supporting the application, the Dhr, submitted that despite of issuance of arrest warrant Jdr., not coming forward to pay the amount and when the Dhr., visited the Jdr., house, Dhr., found the vehicles and 'B' register extracts pertaining to the Jdrs' which are valuable moveables belonging to Jdr., and therefore, Dhr., prayed for issue of attachment warrant of those moveables.

4. On going through the execution petition, the Dhr., filed this execution petition for recovery of amount of ₹6,78,764/- against the Jdr.,No.1 to 3. As the amount involved is very huge amount, for realization of the said amount, the Dhr., has taken steps for issue of attachment of warrant of moveables. If the moveable properties are not attached, then it is very difficult for the Dhr., to get realization of the decretal amount. Under these circumstances, this court is of the opinion that the application deserves to be allowed. Accordingly, I proceed to pass the following;

O R D E R

I.A.No.8 filed U/O.21 Rule 43, 43(A) r/w Sec.151 CPC is allowed. Issue attachment warrant of moveables as shown in the schedule

if necessary P.F and custodial charges deposited
by the Dhr.

Returnable by;

(Dictated to the Judgment Writer, after his transcription,
corrected, signed and then pronounced by me in the Open Court
dated this 5th day of September, 2023).

(RAJESHWARI N. HEGDE)
Principal District & Sessions Judge,
Davanagere.