

ORDER

The applicant/judgment debtor filed instant application under Sec.151 of CPC along with objection to the application which is filed under Order 21 Rule 35 of CPC by decree holder.

2) The contention of the applicant/judgment debtor is that, separate enquiry is necessary in instant petition. Hence, prayed to reject the application which is filed under Order 21 Rule 35 of CPC by decree holder.

3) On the contrary objection is filed by decree holder and prayed to dismiss the averments of objection which is stated by judgment debtor.

4) On perusal of entire materials on record, the judgment debtor has filed instant objection along with application for seeking permission to file objection at belated stage. The application which was filed under Order 21 Rule 35 of CPC which was already allowed by this court on dated 20.08.2025. As such the application is not at all maintainable. More over the separate enquiry is not necessary in the instant case. The judgment debtor No.1 who has engaged counsel in FDP.No.11/2019 as well as original suit has not at all challenged preliminary decree nor final decree and at this juncture cannot challenge the very validity of final decree. Hence, application along with objection averments of judgment debtor deserves to be rejected. Therefore, I proceed to pass the following;-

ORDER

IA which is filed by judgment debtor under Sec.151 of CPC along with objection is hereby rejected.

Issue delivery warrant and for report.

Call on

Senior Civil Judge and JMFC.,
Channarayapatna