

ORDER ON I.A. U/O 21 RULE 35(3) OF CPC

The Dhr has filed this application U/O 21 Rule 35(3) of CPC and sought to brake open the lock and door of the suit houses to deliver the possession of the portions of suit item No.6 and 7 houses.

The Dhr has sworn to an affidavit in support of IA and stated that the Jdr locked the houses and preventing the entry of the Bailiff. Hence, prays to allow the I.A.

Perused the records. Heard arguments.

The Bailiff report shows that when he went to handover possession of portions of suit item No.6 and 7 the Jdr was not present and wife and son of Jdr were present and they locked the houses and sit out side the house. Therefore, he could not execute the warrant.

In view of the Bailiff report and the statement of the Dhr this court acting under order 21 rule 35(3) find it just and proper to order and authorise the Bailiff to remove or open any lock or bolt or brake open any door of the suit item No.6 and 7 houses. Hence, the following;

ORDER

The application filed Dhr U/O 21 Rule 35(3) of CPC is hereby allowed.

It is ordered and Bailiff is authorized to remove or open any lock or bolt or brake open any door of suit item 6 and 7 at the time of executing deliver warrant of possession.

Senior Civil Judge & JMFC, Sedam.

Office to reissue warrant of delivery of possession of the portions of suit items 6 and 7 in favour of Dhr through Special Bailiff.

Office issue intimation to SHO Sedam Police Station calling upon him to give protection to the Bailiff at the time of executing the warrant as and when asked by the Bailiff. He is further directed to depute anyone ASI to give protection to the Bailiff at the time of executing delivery warrant of possession.

For await report 04.04.2026.

Senior Civil Judge & JMFC, Sedam.