

**15/09/2025.**

DHR by:Shri.DRR Adv.

JDR by: Absent.

**ORDERS ON IA.NO.2 FILED BY THE DECREE HOLDER**  
**UNDER ORDER 21 RULE 54 OF CPC**

**1.** The decree holder has filed the present Execution Petition for recovery of money along with interest which is awarded to him by this court in OS.No.70/2016. Along with the petition the decree holder has also submitted the certified copy of the Decree dated:11/01/2017 passed in OS.No.70/2016. As per the decree pass in OS.No.70/2016 the Judgment debtor was directed to pay a sum of Rs.68,000/- with interest at the rate of 6% per annum on Rs.40,000/- from the date of suit till realization to the decree holder from the date of the suit till the realization of entire amount. But inspite of lapse of more than 8 years from the date of the decree passed in OS.No.70/2016, the judgment debtor has not paid decreetal amount to the decree holder along with interest. Thereby the decree holder has filed instant petition for recover of decreetal amount along with interest.

**2.** Counsel for the decree holder filed instant application praying to attach the landed property measuring 2 acre 33 guntas of land situated at Sy.No.218/4 of Kuppe Village, Chunchanakatte Hobli, Saligrama Taluk. Along with the application counsel also submitted the RTC of the aforesaid

property for the year 2025-26. The RTC is dated 24/07/2025 and the same discloses that even as on today the above property is jointly standing in the name of the Judgment debtor along with other co-owners. As held above inspite of lapse of more than 8 years from the date of the decree passed in OS.No.70/2016, the judgment debtor has not paid decretal amount to the decree holder along with interest. The decree holder did not get the fruits of the decree till date. The decree remained as paper decree. The 2 acre 33 guntas of land situated at Sy.No.218/4 of Kuppe Village, Chunchanakatte Hobli, Saligrama Taluk is jointly standing in the name of the Judgment debtor along with other co-owners. Therefore, in order to give the fruits of the decree to the decree holder, it is just an necessary to pass as order for attachment of the undivided share of the judgment debtor in the aforesaid property and after to give the decretal amount to the decree holder from out of the sale proceeds. Therefore, in order to meet the ends of justice the present application requires to be allowed. Accordingly, the application is allowed. Whereof, I proceed to pass the following:

**ORDER**

IA.No.2 filed by the decree holder under Order 21 Rule 54 of CPC is hereby allowed.

Office is directed to issue attachment warrant to attach the undivided share of

**Ex.No.67/2017**

the judgment debtor in 2 acre 33 guntas of land situated at Sy.No.218/4 of Kuppe Village, Chunchanakatte Hobli, Saligrama Taluk which is jointly standing in the name of the JDR along with other co-owners.

Call on: 21/11/2025.

**I ADDL. C.J & JMFC,  
K.R.NAGARA.**