

**ORDERS ON IA.NO.3 FILED BY THE DECREE HOLDER
UNDER ORDER 21 RULE 54 R/W SECTION 151 OF CPC**

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.166/2015. Along with the petition the decree holder has also submitted the certified copy of the Decree dated: 30/08/2017 passed in OS.No.166/2015. As per the decree pass in OS.No.166/2015 all the Judgment debtors were directed to pay a sum of Rs.3,00,000/- to the decree holder along with the interest at the rate of 6% per annum on the principal amount from the date of the agreement for sale to 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.166/2015, the judgment debtors have 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 acres 18 ½ guntas of land situated at Sy.No.31/3 of Kuchenahalli village, Mirle hobli, Saligrama Taluk. Along with the application counsel also submitted the Encumbrance certificate and RTC of the aforesaid property for the year 2024-25. The RTC is dated 21/11/2023 and the same discloses that even as on today the above property is standing

in the name of Judgment debtor No.1. As held above inspite of lapse of more than 8 years from the date of the decree passed in OS.No.166/2015, the judgment debtors have not paid decreetal 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 acres 18½ guntas of land situated at Sy.No.31/3 of Kuchenahalli village, Mirle hobli, Saligrama Taluk is standing in the name of Judgment debtor No.1. 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 aforesaid property of the JDR No.1 and after to give the decreetal 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.3 filed by the decree holder under Order 21 Rule 54 R/w section 151 of CPC is hereby allowed.

Office is directed to issue attachment warrant to attach the 2 acres 18 ½ guntas of land situated at Sy.No.31/3 of Kuchenahalli village, Mirle hobli, Saligrama Taluk which is standing in the name of JDR No.1.

Call on: 20/06/2025.

**ADDL. CIVIL JUDGE & JMFC,
K.R.NAGARA.**