

KAMS710009742021



**IN THE COURT OF I ADDITIONAL CIVIL JUDGE AND
JMFC AT T.NARASIPURA**

Dated this the 27th day of September 2025

**Present: Smt.Niveditha N., B.A.L., LL.B, LL.M.,
I Additional Civil Judge & JMFC., T.Narasipura.**

EX/21/2021

**JDR : C.Rakeshkumar Jain
.....plaintiff**

V/s

**DHR : Shamshad Begum and Another
.....defendants**

**Orders on IA No.3 filed by the Decree Holder U/s
151 CPC**

The Decree holder has filed the present application seeking for police help.

2. In his supportive affidavit to the application, the Decree Holder has stated that, he has filed the suit in OS.No.212/2019 against the JDRs herein and it was decreed. The sale deed was executed by this Court by appointing the Court Commissioner and it is pending for delivery of possession of suit schedule property. After issuing delivery warrant, the Court bailiff visited the spot and conducted measurement and came to know that the Indira Canteen is situated in a portion of suit schedule property. Hence, the bailiff has not executed delivery warrant and sought for police help. Hence, this application.

3. The Judgment Debtors herein have not filed objection to the above application.

4. In view of above rival contentions of the parties, the following point arise for the consideration of the court:

a. Whether the Decree Holder has made out ground to allow the application?

5. Now my finding to the point is in the Affirmative for the following:

REASONS

6. The Decree Holder has filed the suit in OS.212/2019 against the Judgment Debtors seeking for the relief of

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specific performance of Agreement of Sale dated 01/12/2014 and it was decreed and directed the defendants to execute the sale deed. Therefore, the DHR has filed the present execution petition and the sale deed was executed. However, the JDRs have failed to hand over the possession of the suit property in favour of the DHR herein, hence the DHR has filed the present application seeking for police help. For execution of decree the police help is necessary in the case. Therefore, it is necessary to provide police help while handing over the possession of the suit schedule property in favour of DHR herein. **Hence, this Court answers Point in the Affirmative.**

ORDER

IA No.3 filed by the Decree Holder under section 151 CPC is hereby allowed.

The PSI, T.Narasipura Police Station is hereby directed to provide help to the bailiff while handing over the possession of the suit schedule property in favour of the Decree Holder.

(Dictated to the Stenographer, transcribed by her, corrected, signed and then pronounced by me in the open court this 27th day of September 2025)

**I Addl., Civil Judge & JMFC,
T.Narasipura.**

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**(Order pronounced in open court vide
separate order)**

ORDER

IA No.3 filed by the Decree Holder under section 151 CPC is hereby allowed.

The PSI, T.Narasipura Police Station is hereby directed to provide help to the bailiff while handing over the possession of the suit schedule property in favour of the Decree Holder.

**I Addl.Civil Judge & JMFC.,
T.Narasipura.**