

LA (Execution) 02 of 2025

Reg. No. 01 of 2025

CNR No.WBDJ01000738-2025

Present: Sri Akhilesh Kumar Pandey,

JO: WB00784

Order no.03

Dated 31.01.2026

Decree holder files hazira.

Today is fixed for office report and filing affidavit under Order 21 Rule 41 r/w Section 141 of CPC by JDR.

Seen the service return of the notice received being duly served upon the JDR.

Service return received be kept with the record.

JDR appears through Addl. GP, Darjeeling and prays for time for filing of show cause in connection with the above case.

Affidavit under Order 21 Rule 41 r/w Section 141 of the CPC has not been complied with by the JDR.

Heard both sided.

Perused the case record.

Office report already received from the Sheristedar, District Judge's Court, Sadar Darjeeling.

Considering that the JDR has already appeared his prayer for time for filing of show cause is allowed on the condition that the order passed by this Court in the original LA proceedings vide order No.43 dated 06.11.2024 directing the OP/JDR to make payment of atleast 50% of the original award amount along with interest that has not been deposited by the OP/JDR to deposit the same by the next date and to positively file the affidavit under Order 21 Rule 41 r/w Section 141 of the CPC as being ordered by this Court vide order passed dated 12.12.2025.

Copy of the order be communicated to the JDR through Addl. GP, Darjeeling.

Ld. Advocate for the Decree holder to submit the amount of 50% of the original award amount along with the interest upto 08.12.2022 to the Ld. Advocate for the JDR for reference of payment by the JDR and to submit the copy of service of the said amount to the Ld. Advocate for the JDR before this Court by Tuesday ie.03.02.2026.

Fix **20.03.2026** for show cause and compliance by the JDR.

Dictated & Corrected by me

Addl. District Judge,

1st Court, Darjeeling

Additional District Judge,

1st Court, Darjeeling