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**ORDER ON I.A.NO.I**

The Decree Holder filed I.A No.I under Order 16 Rule 6 R/w Section 151 of C.P.C., praying to issue direction to Managing Director of Karnataka Power Corporation Ltd., Race Course Road, Shakti Bhavan, Bangalore, who is the employer of Judgment Debtor to produce the Fixed Deposit Certificate of the money deducted from the service benefit of the Judgment Debtor in the interest of justice.

2. In the affidavit, the Decree Holder stated that, he has got decree from this Court against the Judgment Debtor in O.S No.142/2012 and filed this Execution Petition against the Judgment Debtor for recovery of Rs.3,59,527/- with future interest at the rate of 10% per annum till the date of realization of entire amount. Even after passing of the decree, the Judgment Debtor had not paid the amount as per the decree. The Judgment Debtor was serving at Karnataka Power Corporation at Gerusoppa Hydro Electric Project, Gerusoppa, Jyoti Nagar, Honnavar

Taluka and he was getting monthly salary not less than Rs.75,000/- per month. Though Judgment Debtor has got income, he is intentionally avoiding to repayment of loan amount to the Decree Holder. Therefore, an I.A was filed before the Hon'ble Senior Civil Judge, Haliyal in Regular Appeal to attach the service benefit of Judgment Debtor by giving a direction to the garnishee, for recovery of amount of decree. Said I.A was allowed, aggrieved by the Order, the Judgment Debtor filed the appeal before the Hon'ble High Court of Karnataka, Dharwad Bench and said appeal was dismissed with a direction to K.P.C Ltd., to deduct the service benefit of the Judgment Debtor and deposit in any National Bank. As per the direction of the Hon'ble High Court, the Managing Director of Karnataka Power Corporation Ltd., Race Course Road, Shakti Bhavan, Bangalore has deducted the amount of Rs.3,50,000/- on 31.07.2017 and deposited the same at Syndicate Bank, Gerusoppa of Honnavar Taluka. Therefore, it is necessary to produce the Fixed Deposit Certificate of the money deducted from the service benefit of the Judgment Debtor before this Court so as to Decree Holder to get the amount. With these contentions, the Decree Holder prayed to allow the application.

**3.** The Judgment Debtor counsel orally objected to the application.

4. Heard both counsels. Perused the entire records.

5. It is true that, the Decree Holder filed this petition for recovery of Rs.3,37,980/- with future interest at 10% per annum with costs as per decree passed in O.S No.142/2012. On perusal of the records, it is true that, the Judgment Debtor has filed R.A No.8/2015 against the Judgment and Decree passed in O.S No.142/2012, in the said appeal, Decree Holder filed I.A No.III to restrain the employee of Judgment Debtor to disburse the service benefit to the petitioner. The said application was allowed, aggrieved by the same, the Judgment Debtor preferred a Writ Petition No.114815/2015 before the Hon'ble High Court of Karnataka, Dharwad Bench and the said petition was allowed by the Hon'ble Court and directed the respondent no.2 i.e., Managing Director of Karnataka Power Corporation Ltd., Race Course Road, Shakti Bhavan, Bangalore to withheld Rs.3,50,000/- from the service benefits payable to the petitioner i.e., Judgment Debtor and shall keep Fixed Deposit in any Nationalized Bank so as to derive maximum interest on the said amount. Now the Decree Holder is seeking direction to Managing Director of Karnataka Power Corporation Ltd., Race Course Road, Shakti Bhavan, Bangalore, who is employer of Judgment Debtor to produce Fixed Deposit Certificate with respect to

amount deposited at Syndicate Bank, Gerusoppa, Honnavar Taluka. In order to recover the decretal amount, it is proper to issue direction to the Managing Director of Karnataka Power Corporation Ltd., Race Course Road, Shakti Bhavan, Bangalore to produce Fixed Deposit Certificate of money deducted from service benefit of the Judgment Debtor and deposited in Syndicate Bank, Gerusoppa, Honnavar Taluka. Further, the Judgment Debtor has not filed any objections to the application, he only orally objected to the application. Under these circumstances, it is proper to allow I.A No.I. Hence, I proceed to pass the following:

**ORDER**

**I.A.No.I filed by the Decree under Order 16 Rule 6 R/w Section 151 of C.P.C., is hereby allowed.**

**The Managing Director, Karnataka Power Corporation Ltd., Race Course Road, Shakti Bhavan, Bangalore, is directed to produce Fixed Deposit Certificate of money deducted from the service benefit of the Judgment Debtor.**

E.P NO.94/2022

**Office is directed to issue notice to the Managing Director of Karnataka Power Corporation Ltd., Race Course Road, Shakti Bhavan, Bangalore to produce Fixed Deposit Certificate, if P.F paid.**

**No order as to costs.**

**Call on 20.11.2025.**

**Sd/-  
Civil Judge & JMFC.,  
Haliyal**