

ORDERS ON I.A.NO.1

The D.Hr filed this execution petition for recovery of a sum of Rs.95,004/- against the J.Dr. The D.Hr filed I.A.No.1 under section 151 of CPC praying this court to order for issue of attachment warrant of car of the J.Dr bearing No. KA-47-N-0721.

Perused the execution petition, the D.Hr has filed execution petition for recovery of amount of Rs.95,004/- from the J.Dr. On perusal of the documents, it shows that the J.Dr till today has not paid any amount to the D.Hr. In annexed memo of facts, it is stated that J.Dr is owning a car bearing KA-47-N-0721. Hence, D.Hr has filed present application and requested the Court to attach the said car in order to recover the decretal amount.

In support of his contention, the learned advocate for the D.Hr submitted photocopy of the RC record of the said car. On perusal of that document, it appears that the name of the J.Dr is shown as owner of the said

car. As the case is of the year 2020 and till today, the J.Dr has not taken any pain to pay the decretal amount to the D.Hr.

The order to Court should not become a toothless tiger and the enforcement the order of the Court should not becomes a pain for the person entitled to money. The same is happened in this case also. Even though this Court ordered and directed the JDR to pay the balance, but the JDR has failed to comply with the order of this Court and failed to pay the balance in time. Therefore, I proceed to pass the following;

ORDER

Issue attachment warrant of
the car of the J.Dr bearing
No. KA-47-N-0721.

Returnable by 25/05/2023.

Sd/-
PrI. C.J & JMFC,
Honnavar