

ORDER BELOW EXH.10

(Passed on 12-11-2025)

As correctly pointed out by advocate for DH, the Hon'ble Apex Court in **Civil Appeal Nos. 3640-3642 of 2020 Periyammal Vs. Rajamani** has issued directions in respect of execution proceeding as per as land acquisition cases are concerned. The learned advocate for JD no. 4 submits that he has directed JD no. 4 regarding payment and JD no. 4 is trying to coordinate to the State Government for releasing the payments of DH.

2] In view of the directions of the Hon'ble Apex Court in Periyammal (supra) it is mandatory to dispose of the execution proceeding within the period of six months whereas the present matter has already consumed one year. At the same time instead of issuing warrant under Order XXI Rule 41 (2) of CPC I find it necessary to issue show cause notice to JD no. 1 under Order XXI Rule 37 of CPC. Hence the following order.

ORDER

- 1) Application Exh.10 is decided in following manner.
- 2) Issue show cause notice to JD no. 4 as to why he shall not be arrested and detained in Civil Prison for his non appearance and disregard to the decree under execution as per Order XXI Rule 37 of CPC.

Date : 12/11/2025.

(Shivnath M. Kale)
Civil Judge (Sr.Dn.), Akot.