Money Execution Case No. 13/2014

Order No. 59
30.07.2025

Decree Holder files hajira. Judgement Debtor files a petition, praying for time on the ground of illness of Ld. G.P.

The petition is taken up for hearing.

Heard both sides. Perused the petition. Considered.

Judgement Debtor has prayed for time for hearing in respect of the petition u/s 151 of CPC read with Order 21 Rule 52 of CPC on the ground that Ld. G.P. is ill and he is unable to attend the court. In Civil Appeal Nos. 3640-3642 of 2025, the Hon'ble Supreme Court has directed all the courts of District Judiciary to ensure that the Execution Petition pending shall be decided and disposed of within a period of 6 months without fail. This is an Execution Case of year 2014. Several adjournments have been granted to the Judgement Debtor. There is no scope for granting adjournment to the Judgement Debtor any further. Hence, the instant petition is rejected.

Today, the case is fixed for hearing of the petition under Section 151 of CPC read with Order 21 Rule 52 of CPC for attachment of P/L Accounts with the Head "General" with scheme ID and description 4877 which is under the custody and control of ADM (LA), Purba Bardhaman along with another account for holding up the amount of Rs. 83,10,879/- in total.

Heard both sides. Perused the petition and the record. Considered.

It appears from the record that the Execution Case was filed on 25.08.2014. It appears from the instant petition that Judgement Debtor is neglecting to satisfy the decree in spite of having sufficient means. Unless an order as prayed for is made, the decree cannot be satisfied and in that event, the decree holder shall suffer loss and injury.

Hence, it is,

O R D E R E D

that the application for execution under Section 151 of CPC read with Order 21 Rule 52 of CPC is allowed on contest. The ADM (LA), Purba Bardhaman is directed to set aside Rs. 83,10,879/- in total from "General" P/L Account with scheme ID and description 4877 under his control and custody till 29.08.2025 or till payment of decretal amount if sooner made. He is further directed to send a compliance report to this court at the earliest.

Fix 07.08.2025 for report from ADM (LA), Purba Bardhaman and final order.

Let a copy of this order be sent to the ADM (LA), Purba Bardhaman for compliance and report.

Dictated & Corrected by me.

A.D.J., 3rd Court, Purba Bardhaman.

Additional District Judge, 3rd Court ,
Purba Bardhaman.