

Money Execution No. 06 of 2013

Order No. 80 dated 17-04-2025

Decree holder files hazira. Judgment debtors also file their respective haziras.

Today this execution case is fixed for bringing stay order, in default hearing of petition under Section 151 CPC filed on 06-12-2022.

No stay order has been filed. Accordingly, the petition under Section 151 CPC is taken up for hearing.

Heard. Perused the petition. Considered.

By the instant petition the decree holder has prayed for proceeding with this execution case in other mode /modes of execution deferring the process of sale of the property as stated in the execution petition. It is apparent from the instant petition that the property mentioned in the schedule of the execution petition being DM Bunglow has been already attached in many cases and the same is insufficient to satisfy the decretal dues. Unless, the prayer is allowed, the decree holder shall not be able to realize the decretal amount by executing the decree and the instant execution case shall become infructuous. Hence, the instant petition under Section 151 CPC filed on 06-12-2022 is hereby allowed on contest without cost.

The decree holder is permitted to proceed with the execution case in other mode/modes as per law. The decree holder is directed to take steps for amendment of schedule of execution case accordingly.

To **08-05-2025** for taking steps by the decree holder for amendment of schedule of execution case.

Dictated & Corrected by me.

Additional District Judge, 3rd Court,
Burdwan

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