

Money Execution Case No. 03/2014

Order No. 64

20.08.2025

Decree Holder files hajira. Judgement Debtor files a petition, praying for time for bringing stay-order on the ground that Appeal has been filed against Judgement and Decree dated 01.10.2013 in L.A. Case No. 20/46 of 2008.

The petition is taken up for hearing.

Heard both sides. Perused the petition. Considered.

It appears from the petition and Ld. Advocate's letter that Judgement Debtor has prayed for time on the ground of bringing stay order in Appeal filed before the Hon'ble High Court at Calcutta against Judgement and Decree which is under execution in this case, passed in the year 2013. It appears from copy of case status submitted on behalf of the Judgement Debtor that the Appeal is fixed for admission on 27.08.2025. Naturally, there is no stay-order. It appears from the record that series of adjournments have been obtained for bringing stay-order.

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. There is no scope for granting adjournment to the Judgement Debtor. Hence, the instant petition is rejected.

It appears from Order No. 57 dated 11.06.2025 that this court allowed the application under Section 151 of CPC read with Order 21 Rule 52 of CPC for attachment of P/L Account under the custody and control of ADM (LA), Purba Bardhaman and directed ADM(LA), Purba Bardhaman to set aside Rs. 19,58,782/-. It is clear that ADM (LA), Purba Bardhaman has neither complied with the order nor brought any stay-order from Hon'ble Higher Court. Accordingly, ADM (LA), Purba Bardhaman is directed to comply with the order positively by the next date, otherwise, action shall be taken against him in accordance with law.

To 28.08.2025 for compliance, in default, taking steps by the decree holder for taking necessary action.

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.