

MACC (Ex) Case No. 03 of 2022
CNR No. WBCB-01-000394-2022

Order No. 41

Dated 07.02.2026

Decree Holders (D.Hr for short) are present by filing hazira through Ld. Advocate. Today is fixed for further order. Record is taken up for passing order. J. Dr. Does not take any steps and none appears and none moves for the J. Dr. on repeated calls.

Perused the record and the materials found in it. Considered. The instant Execution case has been filed by the Award-holders, namely, Jannendra Mohan Sarkar, Smt. Urmi Sarkar and Sri Biprojit Sarkar, against the award-debtor, namely, Mrinal Adhikary, son of Late Gajen Adhikary of Panchagarh, Ward No. 10 and also Headmaster, Abash Ratanpur Jr. Basic School, Vill. & P.O. Mahishcharu, P.S. Mathabhanga, Kurshamari, District- Cooch Behar for execution of the award passed in MAC Case No. 36 of 2009 whereby the award-debtor was directed to pay Rs. 3,09,500/- alongwith interest @ 6% per annum to the award-holders. It has been submitted by the Ld. Advocate for the award-holders that the award-debtor did not pay the amount yet and hence, they have filed this case for execution of the order.

The record of this case reveals that the award-debtor has not made the payment as directed yet and therefore, the award-holders have filed this instant execution case.

The record further reveals that the instant case has been filed on 15.02.2022 for the execution of an award which was passed on 19.07.2017. The notice upon the award-debtor has been served, but he has not appeared in this case.

The award-holders have put the award passed in MAC Case No. 36 of 2009 into execution for realization of the awarded compensation amount of Rs. 3,09,500/- from the judgment debtor, who has failed to satisfy the award and has not deposited the decretal amount. The decree holder has accordingly prayed for attachment of the bank account of the judgment debtor for realization of the awarded sum.

Upon consideration of the petition and the materials on record, this Tribunal is satisfied that coercive steps are necessary for enforcement of the award. Accordingly, in exercise of powers under **Order XXI Rules 46 & 54 read with Section 51 and Section 60 of the Code of Civil Procedure, 1908**, as applicable to proceedings under the Motor Vehicles Act, 1988,

It is, hereby,

ORDERED.

That the account(s) standing in the name of the **Judgment Debtor, namely Mrinal Adhikary**, maintained with Uttar Banga Kshetriya Gramin Bank (U.B.K.G.B.), Shikarpur Branch, bearing Account No.

4000811010001458, be and is hereby attached forthwith to the extent of Rs. 3,09,500/- along with up-to-date interest.

The Branch Manager, Uttar Banga Kshetriya Gramin Bank (U.B.K.G.B.), Shikarpur Branch is hereby directed to forthwith freeze the aforesaid account of the judgment debtor and remit the attached amount in favour of the decree holders by way of three demand drafts / cheques of Rs. 1,00,000/- each in the names of Smt. Urmi Sarkar and Sri Biprojit Sarkar and one of Rs. 1,09,500/- in the name of Jannendra Mohan Sarkar, alongwith interest as stipulated in the order, drawn in their names within 15 days of receipt of this order. The Branch Manager shall further report compliance to this Tribunal immediately on effecting the attachment.

Let a copy of this order be transmitted to the concerned Bank Branch forthwith for compliance. The decree holders shall also take steps to serve a copy of this order upon the Branch Manager for necessary action.

Put up the record on **16.03.2026** for further order/compliance report.

If the award remains unsatisfied through the attachment of the bank account of the award debtor as aforementioned, the award holders will be at liberty to pray before this Court to have the remaining part satisfied through the attachment and sale of the properties of the award debtor, as mentioned in the application for execution.

Typed by me.

Sd/-

Addl.Sess.Judge,
3rd Court (In-Charge),
Coochbehar.

Sd/-

Additional Dist. & Sessions Judge,
3rd Court (In-Charge),
CoochBehar.
JO Code: WB00899