

In the court of Additional Sessions Judge, 3rd Court, Sadar, Cooch Behar

MACC Execution 08/2019
CNR No. WBCB01-001059-2019

Present :- Sri Rudra Prasad Ray, Judge MACC Tribunal, FTC, Cooch Behar,
In-charge-of ADJ 3rd Court, Cooch Behar.

Order No.50, Dtd. 10.01.2025 :-

Dhr. is present by filing hazira through Ld Advocate.

Today is fixed for hearing of the petition for attachment of the property of the Jdr. and for hearing of the petition for recalling W/A issued against the Jdr.

The Ld. Advocate for the Dhr. submits that the Insurance Company was directed to make the payment to the claimants of M.A.C.C No. 74 of 2011 and thereafter they were given liberty to realize the awarded amount of Rs.4,12,000/- from the owner/Jdr.

They have made the payment and thereafter they could not realize the amount from the Jdr. amicably.

I have perused the materials in the record and heard the Ld. Advocate for the Dhr. and considered.

It is found from the record that on 30.04.2022 W/A was issued against the Jdr. which, in my opinion, will not serve any purpose for the realization of the awarded amount from the Jdr.

Hence, in allowance of the petition, the W/A issued against the Jdr. on 30.04.2022 is hereby recalled.

The Dhr. has given description of the movable as well as immovable properties of the Jdr. which need to be attached for realization of the awarded amount. I find no reason not to allow the prayer for attachment and hence the prayer is allowed and the movable as well as immovable properties of the Jdr. are hereby attached till the realization of the decretal amount from him.

Dhr. is directed to file requisites for issuance of writ of attachment at once.

Fix 21.02.2025 for E.R of Writ.

Dictated & Corrected by me,

Sd/-
Judge MACC Tribunal,
FTC Cooch Behar, In-charge-of
ADJ 3rd Court, Cooch Behar

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FTC Cooch Behar, In-charge-of
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