

**Money Execution Case No. 07 of 2026**

Present: Amit Chakravorty,

(J.O Code WB-00615)

**Order no. 04 dated 04.05.2026**

Date is fixed for hearing of the execution case.

Decree holder is absent without steps.

Judgment-debtor files hazira.

On repeated calls none appears for the parties.

On perusal of the application for execution, it appears that the decree-holder has disclosed the mode in which assistance of the Court is required in Column No.11 ,wherein the attachment of movable and immovable properties of the judgment-debtor and/or salary attachment from his salary account, and/or to arrest and detention of the judgment-debtor in Civil Prison has been prayed. Prayer was also made to sell the properties on auction in order to adjust the amount.

**Order 21 Rule 13 of CPC** specifically provides that where an application is made for attachment of any immovable property belonging to a judgment-debtor, it shall contained at the foot : -

- (a) A description of such property sufficient to identify the same and in case such property can be identified by boundaries or numbers in record of settlement or survey a specification of such boundaries or numbers; and
- (b) A specification of the judgment-debtor's share or interest in such property to the best of belief of the applicant, and so far as he has been able to ascertain the same.

**Order 21 Rule 14 of CPC** posits where an application is made for the attachment of any land which is registered in the office of the Collector, the Court may require the applicant to produce a certified extract from the register of such office, specifying the persons registered as proprietors of , or as possessing any transferable interest in the land, or its revenue, or as liable to pay revenue for the land, and the shares of the registered proprietors.

**Order 21 Rule 17 of CPC** makes it clear that on receiving an application for execution of a decree as provided by Rule 11, sub rule (2), the Court shall ascertain whether such of the requirements of Rules 11 to 14 as may be applicable to the case have been complied with; and, if they have not been complied with, the Court shall allow the defect to be remedied then and there or within a time to be fixed by it. If the defect is not so remedied, the Court shall reject the application.

In the instant execution application, the decree-holder has mentioned in the schedule of the immovable property that there is a dwelling house of the judgment-debtor situated at Sandeswartala, Pathakgoli, P.O.+ P.S. Chinsurah, District Hooghly, PIN-712101. So, such description mentioned by the decree-holder is not sufficient to identify the same and as such, the decree-holder is directed to comply the provisions of Order 21 Rule 13 of CPC. In case of land, the decree-holder to also comply the provisions of Rule 14 of Order 21 of CPC.

On 28/04/2026 Id. counsel for the decree-holder informed the Court that an order for deduction of salary of the judgment-debtor has already been passed in the Execution Case against the proceeding under section 125 of Cr.P.C.

In the inventory of the movable property, the decree-holder mentioned about furniture, fittings along with other articles without any proper description of the same. One Hero Honda motorcycle was also mentioned therein but without any registration number or any other particulars necessary for its identification in proper way for execution of the decree.

Therefore, the decree-holder is directed to comply with the aforementioned provisions of CPC in order to execute the decree/order of alimony pendente lite.

Fix **16/05/2026** for compliance.

Dict. & Corrected by me

D.J.

District Judge, Hooghly