

Money Execution Case No.76 of 2023

CNR No. WBHW01-003900-2023

Present : Sri Somesh Prasad Sinha (J.O Code : WB00720)

Order No. 10,

Dated : 23.12.2025

Today, the date is fixed for appearance of KMDA.

Dhr. files hazira.

Jdr. State of West Bengal also files hazira.

Ld. Advocate for the Dhr. submitted that in this case, award was passed on 19/03/2018 and State of West Bengal has been directed to pay the enhanced amount of award or decretal amount. Execution was filed by the original decree holder, namely, Md. Yusuf Khan, On the date of filing of the execution, the total claimed amount as on that date has been mentioned as Rs.1,10,925/-. The Execution Case was filed on 07.07.2023 and since then, it is more than 2 years but, the State is not making payment of decretal amount and avoiding the same by verbally submitting that the Requiring Body/K.M.D.A. is not making payment to them. Ld. Advocate for the Dhr further submitted that the decree clearly mentioned direction upon the State represent by L.A. Collector, H.I.T. and not upon the K.M.D.A and State cannot avoid or deny his liability. Accordingly, Ld. Advocate for the Dhr. prays for passing specific direction upon the L.A. Collector, H.I.T as the case is pending for long time.

Considering such submission, L.A. Collector, H.I.T. is directed to submit report as to the status of the payment of decretal amount to the Dhr. and the steps taken by State for making such payment in long time of more than 2 years.

K.M.D.A. is also directed to submit report in this regard.

Let a copy of this order be sent to L.A. Collector, H.I.T. through G.P. of this Court for his information and compliance.

Let another copy of this order be sent to K.M.D.A. for information and necessary action.

Fix 25.02.2026 for status report from L.A. Collector, H.I.T. and K.M.D.A.

Dictated & Corrected by me.

(Sri SOMESH PRASAD SINHA)

Judge, L.A. Tribunal, Howrah

(Sri SOMESH PRASAD SINHA)

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