

M.A.C.Execution Case No.05/2013

Present :- Shri J.B. Biswas,
Addl. Dist. & Sessions Judge,
Fast Track, First Court,
Malda .

Order no.07 .

16.07.3013 Today is fixed for S.R & A.D.

Decree holder files hazira with separate petition praying for issuance of W.A on the ground stated therein .

S.R is received after service .

The Judgment Debtor namely Sk Matiul appears today with vakalatnama together with a petition praying for stay of the presence execution case till the disposal of F.M.A.T No. 669/2013 supported by documents .

The said petition praying for stay is not filed with an affidavit . Moreover, mere pendency of any proceeding or appeal before the Higher Forum does not stay the operation of the order . So, the stay petition is misconceived and rejected .

The Judgment debtor is directed to pay the amount as claimed in the execution case . On being asked he submitted a bond and under taking disclosing that he will file stay order of Upper Forum otherwise he will pay the decretal amount .

In such view of the fact and under taking given by Judgment debtor, I am directing him to produce stay order by 15 days from this day otherwise he shall have to pay the decretal amount with interest as per prayer of the decree holder made in the execution case id the petition filed by the decree holder will be considered and necessary order will be passed .

To 31.07.2013 for payment id necessary order .

Dictated & corrected
by me .

A. D. J

Addl. District Judge,
Fast Track, First Court,
Malda .