

Money Exn. 73 of 2019

Order No. 17
Dated 07.07.2025.

Ld. Advocate for decree-holder is present by filing hazira.

Date is fixed for hearing of this execution case.

Having heard Ld. Advocate for the petitioner/decreed-holder on the face of the decree filed in this execution case that in terms of the award dated 19-01-2019 passed by the sole arbitrator in pursuance of an arbitration proceeding being no. IM-515 of 2018 between the Shriram Transport Finance Co. Limited (claimant) and 1. Milan Shaikh, son of Rafikul Shaikh, and 2. Amer Hamja Mondal, son of Khodaboks Mondal both of Village-Ashrafpur, P.O. Shyamnagar, P.S. Tehatta, District-Nadia (respondents), the said claimant got an award of Rs. 1,62,278/- together with an interest of Rs. 28,037.40/- @ 15% p.a. from 01-07-2018 to 26-08-2019 and cost of the award Rs. 6500/-, totaling Rs. 1,96,815.40/-.

The respondents having failed to pay the said awarded amount within the stipulated period of time, the instant execution case was filed by the claimant/decreed-holder on 26-08-2019 seeking recovery of amount of award Rs. 1,96,815.40/- and together with interest @ 15% p.a. from 27-08-2019 till realization. Thereafter notice dated 16-07-2020 & 23-09-2024 were issued upon the judgment-debtors which was duly served but both the judgment debtors did not take any step pursuant to which this case was fixed for ex parte hearing.

The said execution case is taken up for hearing.

In view of the aforesaid discussion, the judgment-debtor is liable to pay the decretal amount and since there has been no record before the court to be satisfied that the decretal amount has already been paid to the claimant, I am of the view that there should be an order of attachment of the properties as described in the schedule of the movable and immovable properties. So, all the properties as described in the schedule of the decree be attached till the satisfaction of decretal dues in connection with the instant execution case to satisfy the execution dues.

Let a copy of this order be sent to Nazir, for attachment of all the movable and immovable properties of the judgment debtor, in terms of the decree, after issuing notice upon the judgment debtors.

Requisites at once.

Fix 13-01-2025 for report

Dictated & corrected by me.

Sd/- S. Sen
District Judge, Nadia,

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District Judge, Nadia.