

Present : Shri Soumen Sarkar,
Judge M.A.C. Tribunal,
cum
Additional District Judge,
3rd Court, Purulia.
JO Code- WB00889.

Misc. Execution Case no. 02 of 2024(CIS)
(Arising out of M.A.C. Case no.72 of 2013)

Order No. 02
dt. 18.04.2024

Today is fixed for S/R and appearance.

Decree Holders have filed hazira through their Ld. Advocate and also filed some photocopies of postal receipt and computerize postal track consignment report.

Let photocopies of those documents be kept with the case record.

Perused the postal receipt and computerized track report showing that the item booked under the register post was delivered on 09.04.2024.

Ld. Advocate for the Decree Holders submitted that the notice of this case has been duly served upon the Jdr. by post but Jdr. did not turn up to contest and, as such, the case should be heard ex parte.

Having heard the submission and after going through the PR and postal track report, it appears that the notice of this case was served upon the Jdr.. It is pertinent to note here that the Jdr. did not turn up to contest.

Therefore, the case will be heard ex parte against the Jdr..

The Ld. Advocate for the Decree holders submitted that this Tribunal passed an award of compensation in favour of the Decree holders on 18-12-2023 in connection with MAC Case no.151/2015 (CIS) and directed the Jdr.. to make payment as per the order within 30 days of the order but the said order has not been complied with. Thus, the Ld. Advocate for the Decree holders prayed for an order to attach the Bank Account of the Jdr.. for the purpose of realization of the awarded sum.

Perused the Execution petition and the copy of order passed by this Tribunal on 18-12-2023 in connection with MAC Case no.151/2015 (CIS) and deciphered that in total Rs. 2,04,500/- was allowed together with interest @ 6% (simple) per annum from 04-09-2013 till realization of the award. The petition for execution shows that the calculated interest over the awarded amount turns out to be Rs.1,28,835/- for the period from 04-09-2013 to 03-03-2024. Thus, the total amount in aggregate in this Execution Case is Rs.3,33,335/-.

It further transpires from the Execution petition that the Decree holders stated therein that the Jdr.. has its account in the Axis Bank Ltd., Bhagat Singh More, Asansol Branch vide A/c no.910020008312561. The Decree holders have prayed for attachment of the said Bank Account of the Jdr.. for realization of the amount of award. This Tribunal does not find any legal impediment to allow the prayer of the Decree holders.

Accordingly, the prayer for attachment of the Bank Account of the Jdr.. is allowed on ex-parte.

The Branch Manager of Axis Bank Ltd., Bhagat Singh More, Asansol Branch is hereby directed to freeze the A/c no.910020008312561 in the name of National Insurance Com. Ltd. till further order and he is also directed to submit a report of compliance along with the details of credit balance in the said account by the next date positively.

Let a copy of this order be sent to the Branch Manager of Axis Bank Ltd., Bhagat Singh More, Asansol Branch for information and necessary compliance.

Case is adjourned.

Fixing **10-06-2024** for report from the Bank.

(Dictated & corrected)

Sd/-
Judge M.A.C. Tribunal,
A.D.J. 3rd Court, Purulia.

Sd/-
Judge M.A.C. Tribunal,
A.D.J. 3rd Court, Purulia.

