

Money Execution 01 of 22 (Reg. 01 of 22)
CNR No. WBSP07-003722-2022
J.O Code-WB01066

Order dated 06.05.2026.

Today is fixed for hearing.

Dhr. is present by filing hazira.

The application dated 21.02.2026 filed by the Dhr. under Order 21 Rule 13 C.P.C is taken up for hearing.

Learned Advocate on behalf of the Dhr. submitted before the Court that this Court has been pleased to pass decree of recovery of money amounting to Rs.4,25,000/- together with simple interest thereon @ 6% per annum from the date of filing of the suit i.e. from 01/12/2015 till realization. It is further contended by the Dhr. that the Jdr. failed and neglected to pay the said amount within the stipulated period of three months and therefore the Dhr. filed the present execution case for realization of the decreetal amount. The Dhr further contends that the Jdr is the absolute owner of the premises number 1/A, East Kulia Road, P.S Beliaghata, Kolkata – 700 010, District South 24 Parganas and accordingly the Dhr. prayed for attachment of the Jdr's said immovable property as mentioned in the schedule of the execution petition for realization of the decreetal amount by way of attachment.

Heard Ld. Advocate for Decree Holder at length.

I am to mention here that Judgment Debtor abandoned the execution proceeding at his whim.

Needless to say that money decree is of no value unless it is executed. From the instant application and the carry of unregistered Development Agreement it is found that the schedule property mentioned in the Execution petition and in application filed by the Dhr. is specifically identifiable. In my opinion the description of the schedule is in conformity with the provision of order 21 rule 13 of C.P.C. No doubt that the schedule property sought to be attached is thika property belongs solely to Judgment Debtor Sailendra Nag Chowdhury.. There is no evidence in record that the property sought to be attached does not belong to the Jdr. Thus, I find no cogent ground to deny the prayer of the Dhr.

Hence, it is,

ORDERED

that the application filed by the Dhr. under Order 21 Rule 13 of C.P.C is considered and allowed on contest without any order as to cost.

Issue writ of attachment in respect of the schedule property as mentioned in the Execution application accordingly.

Dhr. is directed to file requisites at once.

To 20.06.2026 for E/R of writ of attachment.

Dictated & corrected by me,

Sd/-

Civil Judge (Sr. Divn.),
SCC, Sealdah

Sd/-

Civil Judge (Sr.Divn.),
SCC, Sealdah