

**M/s Radico Remedies v. M/s Andhra Pradesh
Medical Services Infra. Dev. Corn. And
connected matter
Ex. Petition No.5 of 2019 with Ex. Petition
No.14 of 2022**

Ex. Petition No.5 of 2019

18.09.2025 Present: M/s Kamal Sehgal and Raman Sethi, Advocate,
for the decree holder.

Mr. B.S. Attri, Advocate, for the Judgment
Debtor.

This execution petition has been filed by the
petitioner for the execution of the award passed in favour
of the petitioner.

When this case was listed on 22.04.2025, the
following order was passed:-

*“Heard further. List for continuation on
15.05.2025. The award debtors are hereby directed
to file a detailed affidavit disclosing therein the
details of their immovable and movable (bank
account etc.), assets including the place where the
immovable asset is situated and the value thereof.”*

Thereafter, on 15.05.2025, the following order
was passed:-

*“Order dated 22.04.2025 not complied with.
List on 03.06.2025, as prayed for. Let needful be
done by the said date.”*

Thereafter, on 03.06.2025, the following order
was passed:-

*“By way of indulgence and as a last
opportunity, three weeks’ time, as prayed for, is
granted to the Judgment Debtor to comply with
order dated 22.4.2025, whereby JD was directed to*

file a detailed affidavit, disclosing therein the details of immovable and movable (bank account etc.) assets including the place where the immovable asset is situated and the value thereof, failing which, Executive Director of Respondent/ Judgment Debtor shall remain present in the Court on the next date of hearing.

List before appropriate Bench on 1.7.2025.”

This was followed by order dated 01.07.2025,
on which date, the following order was passed:-

When this case was listed on 22.04.2025, the following order was passed:-

“Heard further. List for continuation on 15.05.2025. The award debtors are hereby directed to file a detailed affidavit disclosing therein the details of their immovable and movable (bank account etc.) assets including the place where the immovable asset is situated and the value thereof.”

Thereafter, on 15.05.2025, the following order was passed:-

“Order dated 22.04.2025 not complied with. List on 03.06.2025, as prayed for. Let needful be done by the said date. ”

On 03.06.2025, the following order was passed:-

“By way of indulgence and as a last opportunity, three weeks’ time, as prayed for, is granted to the Judgment Debtor to comply with order dated 22.4.2025, whereby JD was directed to file a detailed affidavit, disclosing therein the details of immovable and movable (bank account etc.) assets including the place where the immovable asset is situated and the value thereof, failing which, Executive Director of Respondent/ Judgment Debtor shall remain present in the Court on the next date of hearing.

List before appropriate Bench on 1.7.2025.”

Learned counsel appearing for the judgment-debtor has apprised the Court that though he has intimated them of the order passed by the Court, but the judgment-debtor has not responded thereto.

Learned counsel for the decree-holder submits that taking into consideration the attitude of the judgment-debtor, as it is apparent that neither they are interested in executing the decree nor they have any respect for the majesty of the orders passed by the Court, it would be in the interest of justice, in case, the bank account of the judgment-debtor, be attached, details

whereof have been provided to the Court by the learned counsel today itself.

*Taking into consideration the fact that the last three orders passed by this Court, have not been complied with by the judgment-debtor, this Court is constrained to order the attachment of the bank account of the judgment-debtor, details whereof are as under:-
Account Holder Name:- The Managing Director, APMSIDC Account No.- 142410011000314 IFSC Code – UBIN0803669 Bank Name – Union Bank (Formerly Andhar Bank) Branch Name– Mangalagiri, Guntur District, Andhar Pradesh.*

Said bank account is ordered to be attached forthwith and the bank concerned shall not allow any withdrawals from the said bank account of the judgmentdebtor, in favour of anyone.

At this stage, again Mr. B.S. Attri, learned counsel, submitted that there is an issue with regard to the maintainability of the execution petition. All that this Court can observe is that it is aware of said fact but then the judgmentdebtor has to comply with the directions passed by the Court and the orders cannot be flouted by showing disregard thereto.

List on 08.08.2025, as prayed for.

Learned counsel for the petitioner has drawn the attention of the Court to Order 21 Rule 41 (2) & (3) and has submitted that in the light of the fact that there is a disobedience on the part of the Judgment Debtor of the orders passed by this Court to file an affidavit stating the particulars of the assets of the Judgment Debtor, appropriate directions be issued for the detention of the Judgment Debtor in Civil Prison in terms of the provisions of Order 21 Rule 41 sub-rule(3). Learned counsel for the Judgment Debtor on the other hand has submitted that despite his best endeavor and despite the fact that he has

communicated to the respondent the outcome of the non-adherence of the orders passed by this Court, no instructions are coming forth.

In the light of the fact that despite clear cut direction issued by this Court, till date, no affidavit has been filed by the Judgment Debtor stating the particulars of the assets of the Judgment Debtor, this Court issues a show cause to the Krishan Mohan, Executive Director, Andhra Pradesh Medical Services and Infrastructure Development Corporation, as to why this Court should not order his detention in a Civil Prison in terms of the provisions of Order 21 Rule 41(3). Officer shall personally remain present in the Court on the next date of hearing. Non-compliance of this order shall amount to contempt of the Court order.

List on 08.10.2025.

(Ajay Mohan Goel)
Judge

September 18, 2025
(*Vinod*)