

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Miscellaneous Appeal No. 1849/2021

The Chief Engineer, Public Health And Engineering Department,
-----Appellant

Versus

M/s Geo Miller Company Private Limited
-----Respondent

For Appellant(s) : Ms. Mahi Yadav, AAG with
Mr. Rahul Kumar

For Respondent(s) : Mr. Pradeep Kumar Singh

HON'BLE MR. JUSTICE PANKAJ BHANDARI
HON'BLE MR. JUSTICE PRAVEER BHATNAGAR

Order

06/08/2024

1. It is informed by learned Additional Advocate General that 50% of the decretal amount has been deposited with the Executing Court in pursuance of order dated 25.04.2024 still the property of appellant has been attached. It is also informed that the copy of order dated 25.04.2024 was brought to the notice of the court however, in spite of the bringing it to the notice of the court, property has been attached. Copy of the order-sheet dated 11.07.2024 is also shown to the court.

2. From the perusal of the same, it is revealed that the court has proceeded with the execution because the decretal amount was not paid. The Officer has also not marked his name in the order-sheet even after due directions issued by the Supreme Court and by this court. Officer has not properly interpreted the order passed by this court and has proceeded in-spite of there being a stay by this court on the execution proceeding.

3. Officer is directed to submit an explanation to this court as to why he proceeded with the execution proceedings when there was stay granted by this court. Officer is also required to given an explanation as to why his name has not been depicted in the orders passed by him.
4. Concerned executing Court is further directed to release the attached property forthwith.
5. List on 02.09.2024.

(PRAVEER BHATNAGAR),J

(PANKAJ BHANDARI),J

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