

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20798 of 2014

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Manju Kumari Verma Wife of Akhileshwar Prasad Resident of Village
Itwa, P.S. Haspura, District Aurangabad. At present Resident of Urmila
Repairing Works, Karima Road, P.S. and District- Aurangabad.

.... Petitioner/s

Versus

Sri Devanand Rahi S/o Budhan Mahto Resident of Village- Bhaura, P.S.
Risiup, District Aurangabad

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

2 22-09-2015 Heard the learned counsel appearing on behalf of the

petitioner.

It has been submitted on behalf of the petitioner that

the relief, in the present application, is confined only for a

direction to the learned court below to dispose of the Execution

Case No. 110 of 1997. It has further been submitted on behalf of

the petitioner that the petitioner is a decree-holder and has filed

suit for payment of Rs. 134690/- to the petitioner. It has further

also been pointed out that the decree has been passed on

15.02.1997 and the execution case thereafter was immediately filed.

The learned counsel for the petitioner has further stated that there is

no order of stay of the proceeding of the execution case by any court.

No appeal has also been filed by the judgment-debtor against

the decree under execution and in that view of the matter there is no impediment to the executing court for expeditious disposal of the execution case.

After considering the facts and circumstances of the case and the submissions, it is manifest that the petitioner has filed the execution case no. 110 of 1997 before the court of Sub Judge- Aurangabad for execution of the decree with regard to the payment of money as decreed in favour of the petitioner. In view of the further submissions on behalf of the petitioner that no appeal has been filed against the said decree nor there is any stay against the proceeding of the execution, this Court finds it just and proper that the execution case should be disposed of at the earliest.

Accordingly, this writ application is disposed of with direction to the learned court below to make all endeavors to dispose of the execution case no. 110 of 1997 in accordance with law if there is no legal impediment in disposal of the same. This Court expects that the execution case will be disposed of preferably within a period of six months from the date of receipt/production of a copy of this order.

The writ application is accordingly, disposed of with the aforesaid direction.

Devendra/-

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(V. Nath, J)