

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCC No. 390 of 2020

Ashish Mishra S/o S.N. Mishra Aged About 49 Years R/o 481, Ward No. 41, Behind Lucky Bharat Garage, Yadav Gali Chuchuiyapara, Shanker Nagar, Bilaspur, Chhattisgarh.

---- Applicant

Versus

Pradeep Agrawal S/o Late Satyanarayan Agrawal R/o Flat No. 304, 3rd Floor, Mahima Vihar, Bilaspur, District Bilaspur, C.G. Presently Residing At Samta Colony, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant

: Mr. N.K. Chatterjee, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

14-08-2020

Heard.

1. This application has been filed praying for modification in the order passed by this Court in W.P.(227) No. 253 of 2020 dated 4.3.2020.
2. It is submitted by counsel for the petitioner that the petition filed by the petitioner was allowed and the petitioner was given opportunity to seek police help in the execution of decree. It is also submitted that subsequent to passing of that order, the execution proceedings have been stalled. The applicant prays that it is an urgent matter, therefore, the District Judge, Raipur be directed to issue necessary orders to the Execution Court for the execution of decree on urgent basis.
3. Considered the submissions. It is the decision of the High Court to suspend the normal functioning of the Court for the present because of the pandemic situation of COVID-19. The normal functioning of the said Sub-Ordinate Courts may resume after sometime whenever the High Court takes decision in that respect. It is a case of money decree,

therefore, I am of this view that passing of order for taking this execution case on urgent basis under the present circumstances would not be appropriate.

4. Accordingly, the present petition is disposed off with a direction to the Execution Court to take up the execution case on urgent basis and make an endeavour to conclude the same preferably within a period of six months from the date when the normal functioning of the Sub-Ordinate Courts are restored.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nimmi