

IN THE COURT OF CIVIL JUDGE
WEST DISTRICT AT GYALSHING.

CIVIL EXECUTION CASE NO. 01 of 2018

Radha Rani Subba

.....Decree Holder

– **VERSUS** -

Harish Chandra Rai

.....Judgment Debtor

04. 07.05.2018

Decree Holder is present with Ld. Counsel, Mr. Pujan Kharka.

Judgment Debtor is absent.

Today is the date fixed for payment and orders.

Ld. Counsel for the Decree Holder submits that the Judgment Debtor has been absenting himself willfully to avoid making any payment to the Decree Holder and prays that the terms and conditions enumerated in the Award dated 06.12.2014 be executed through deduction from his salary.

Submission heard and considered.

Prayer allowed in the interest of justice.

At serial nos. 1 and 2 of the Award dated 06.12.2014, it has been stated that,

“1. The Opposite Party shall pay a sum of ₹ 5,000/- only to the Petitioner as monthly maintenance w.e.f January 2015. The same shall be deducted from the salary of the Opposite Party by the concerned office. Petitioner shall receive the money directly from the said office.

2. The said amount shall be enhanced by 15% every year and shall be applicable from the month of January every year.”

Since no deduction has been made from the salary of the Judgment Debtor by the concerned office as mentioned in the Award, accordingly, the Account Section of BAC, Daramdin, West Sikkim shall take necessary steps and deduct the amount which as on today stands outstanding at ₹ 70,244/- only.

Thereafter, w.e.f. May 2018, sum of ₹ 8,746/- only shall be deducted every month from the salary of the Judgment Debtor, Harish Chandra Rai and this amount shall be enhanced yearly by 15%.

The aforementioned amount to be credited into the savings bank account of the Decree Holder at Union Bank of India bearing account no. 531802010004992.

The concerned office to ensure that the said amount of ₹ 70,244/- is credited into the account of the Decree Holder within four months from today and the monthly deduction is made without any fail as the Decree Holder as submitted is raising their minor daughter single handedly without any support from the Judgment Debtor.

Copy of this order shall be made over to the Additional District Collector, Soreng Sub-Division, West Sikkim and Block Development Officer, Daramdin, West Sikkim for issuance of necessary directions to the concerned section of their office.

Accordingly, upon due execution of the Award dated 06.12.2014, this Civil Execution case stands disposed of.

-Sd/-
(Subarna Rai)
Civil Judge (I/C),
West Sikkim at Gyalshing.