

Execution of Decree : Order -21

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Synopsis:

Introduction

Execution: Meaning

Nature and Scope

Execution proceedings under CPC

Scheme of Execution: Important heads

Courts which may execute decree

- Application for execution
- Who may apply?
- Who can not apply?
- To whom application be made?
- Contents of application
- Form
- Procedure on receiving application
- Stay of execution
- Mode of execution

Stay of execution:

When may court stay execution?

Staying of order and quashing of order: Distinction

Revival of execution proceeding

Stay of execution pending suit

Order of injunction and order of stay: Difference

Mode of execution:

Introduction

Choice of mode of execution

Simultaneous execution

Discretion of court

Modes of execution of decree

Modes of execution

Delivery of
property

Attachment and
sale of property

Arrest and
detention

Appointment of
receiver

Partition

Cross decrees and
cross claims

Payment of money

Specific
performance of
contract injunction
, etc.

Arrest and detention:

Introduction

Nature and
scope

Object

When arrest and
detention may
be ordered?

Who cannot be
arrested?

Procedure

Notice:

Power and duty
of court

Recording of
reasons

Period of
detention

Attachment of property:

- Introduction
- Nature and scope
- Object
- Property which can be attached?
- Property which cannot be attached?
- Modes of attachment
- Precept
- Garnishee order
- Determination of attachment

Questions to be determined by executing court:

Introduction

Object

Nature and
scope

Conditions

Power of
executing
court

Duties of
executing
court

Objections to
validity of
court

Thank You