

Disputes and Arbitration (56 - 57)

(11) The judgment creditor shall forthwith report any transfer of property under sub-clause (b) or (c) of clause (ii) of sub-rule (8) to the Village Administrative Officer for information and entry in the Record of Rights.

(12) The judgment creditor to whom property is transferred under sub-rule (5) shall maintain for each such defaulter a separate account showing all the expenses incurred including payment to outside encumbrances, land revenue and other dues on the property and all the income derived from it.

(13) The judgment creditor to whom property is transferred under sub-rule (5) shall use his best endeavour to sell the property as soon as practicable to the best advantage of the foreman as well as that of the defaulter, the first option being always given to the defaulter who originally owned the property. The sale shall be subject to confirmation by the Registrar. The proceeds of the sale shall be applied to defraying the expenses of the sale and other expenses incurred by the judgment creditor and referred to in sub-rules (9) and (12) and to the payment of the arrears due by the defaulter under the order in execution, and the surplus (if any), shall then be paid to the defaulter.

(14) Until the property is sold, the judgment creditor to whom the property is transferred under sub-rule (5) shall use his best endeavour to lease it or to make any other use that can be made of it so as to derive the largest possible income from the property.

(15) When the judgment creditor to whom property is transferred under sub-rule (5) has realized all his dues, under the order in execution of which the property, the property, if unsold shall be restored to the defaulter.

57.Payment of fees for decisions of disputes.-- (1) The Registrar or his nominee, as the case may be, on the application in form XVII and payment of fees prescribed in Appendix II may take a dispute and file.

(2) No document of any of the kinds specified below shall be filled before the Registrar or his nominee unless it is affixed with the proper court-fee stamp as specified against it.

Proper Court-fee

	Rs. p.
(i) Vakalatnama	2.00
(ii) Application for adjournment	10.00
(iii) Application for interim stay or relief	25.00

(3) (a) The Registrar or his nominee deciding any dispute may require the party or parties to the dispute to deposit such sum as may be in his opinion be necessary to meet the expense, including payment of fees to the Registrar or his nominee as the case may be.

(b) The Registrar or his nominee shall have power to order the fees and expenses of determining the dispute to be paid by the foreman out of his funds or by such party, or parties to the dispute, as he may think fit, according to the scale laid down by the Registrar, after taking into account the amount deposited as above.

(c) The Registrar may by general or special order specify the scale of fee and expenses to be paid to him or his nominee.

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