

SUPREME COURT OF INDIA

K.S. Rao

Vs.

P. Venkateswara (Dead) through Lrs.

C.A.No.1372 of 1981

(J.S.Verma and S.C.Sen JJ.)

11.04.1996

ORDER

The Text below is only a summarized version of the order pronounced

Appeal of Judgment debtor against executing of decree against him rejected by Executing Court. Judgment debtor fell within definition of small farmer in Clause (t) of Section 3 as a result of which decretal debt including interest stood discharged by virtue of Section 4 and hence execution of that decree cannot be made. Supreme Court held that objection of judgment debtor erroneously rejected by Executing Court.