

A STUDY OF CIVIL JUSTICE SYSTEM WITH SPECIAL REFERENCE TO MODE OF EXECUTION OF DECREE

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ABSTRACT

Court is often known as temple of justice. The primary object of Justice delivery system is to help the litigants and not to harass them. If the litigants have to visit the court for a number of years to get their rights enforced, it is economic loss to them both in terms of time and money. Enforcement task is like a day dream. In the Indian democratic system justice can be obtained by fair trial and following the rule of law. Common people have lost their confidence over the judicial system because of delay in the effective implementation of decree. Hence, they resort to private justice and adopt illegal means for the settlement of their claims. This has led to hike in criminal litigation. Through this study, Researcher wants to bring forth the problems faced by the decree holder at the grassroot level to get his right enforced. It will also throw light on the procedural lacuna in the execution of decree. The party who has already fought the long battle for its right is forced to fight one more legal battle just for the purpose of getting the decree executed already existing in his favor. The main concern of this research is, thereof to show the existing enforcement system with its merits and demerits. The researcher then tries to find out whether the existing laws of India are being rendered effectively to the general accepted principal or not. Researcher has made effort to suggest certain recommendations to deal with the problem and to make the justice reality different from paper justice as it is well said that justice should not be done but it must appear to have been done.

KEYWORDS: *Civil Justice System, Execution of Decree*