

Clause payment or  
adjustment. 2. he  
may



Clause (3) of rule 2 provides that a payment or adjustment which has not been certified or recorded as aforesaid shall not be recognized by any court executing the decree. It has therefore, to be noted that it is only the execution court that is debarred from recognizing such uncertified payment. The bar does not apply to any other court where a suit for payment may lie. The judgment-debtor has the following remedies in case of non-recognition of payment: 1. He may bring a suit for recovery of damages for breach of the contract represented by the payment or adjustment. 2. He may bring a fresh suit to claim back the money that the creditor has not certified to the execution court. 3.

He may file a criminal complaint under Section 210 of the Indian Penal Code for fraudulently executing a decree even after satisfaction or may prosecute the decree-holder for giving false statement under Sections 191 and 193, I. P. C. 4.

He may move the court under R. 2 (2) of O. 21, if limitation has not expired, to record the alleged payment or adjustment.