

LAW RELATING TO EXECUTION OF DECREES (1986). By R.D. Shukla. Hind Publishing House, Allahabad. Pp. 462. Price Rs. 100.

THE CULMINATION of every suit filed in a civil court is a decree which is the formal expression of an adjudication conclusively determining the rights of the parties with regard to all or any of the matters in controversy in the suit. A decree, therefore, is a determinate expression of the opinion of a civil court with respect to the rights of parties. But a decree can bear fruits only by carrying out the various directions contained therein and making available benefits to the party concerned. The latter action is called its execution of the decree. In other words, execution is the process of translating a judgment into practice and making it an effective document.

Of all the branches of procedural law, the law relating to execution of decrees is most complex. This is so because every claim, in one way or the other, differs from every other claim and the mode of execution also varies according to the nature of the decree sought to be executed. The common practice of attempt to delay and even to defeat the execution of decrees by judgment debtors has given rise to a bulk of case law, and, therefore, added to the complexity of the law.

The author has endeavoured to collect the whole law and prepare a comprehensive treaty on the subject. The main basis of the book under review is the law relating to execution in India as found in order XXI and provision of part II of the Code of Civil Procedure 1908. It also contains case law on each subject till date.

The book is well documented and every subject has been discussed at its proper place, which is of utmost importance for a work on a complex subject like execution. It systematically brings home to the reader the meaning and concept of various terms and phrases, which are mostly used in the law of execution; an account of courts which happen to be executing courts in a particular case; a detailed examination of various types of decrees making clear their nature; and different modes of execution of decrees. An important aspect, that is, "stay of execution", has been finally discussed in a separate chapter explaining when execution may be stayed and on what conditions.

Sometimes a decree grants certain rights to both the parties. Those rights have to be enforced in the execution proceedings and not by a separate suit, as such matters are related to the execution of decrees.

The relevant provisions of the code have specifically been given a treatment in the book. Law relating to restitution has, however, been given briefly without required discussion. A chapter relating to executability of orders of tribunals in Uttar Pradesh is a welcome addition in the book.

A number of appendices are given, which provide an easy access

to various statutory provisions, both central and local, relating to execution of decrees.

Even good books have flaws. The present one, though having a detailed statement of the law relating to execution of decrees, does not give a critical appraisal of various provisions of law and precedents quoted, which could help make the law on the subject more clear and precise.

The book can, however, be of great help to busy lawyers and also to students of law for whom it is at times difficult to consult voluminous works.

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BOOKS RECEIVED FOR REVIEW

- B.R. VARMA, *Law of Contempt* (1986). N.M. Tripathi Pvt. Ltd., 164, Samaldas Gandhi Marg, Bombay-400 002. Pp.xxviii+447. Price Rs. 150.
- C.T. EMERY AND B. SMYTHE, *Judicial Review* (1986). Sweet & Maxwell Limited, 11, New Fetter Lane, London, U.K. Distributors: N.M. Tripathi Pvt. Ltd. Pp.xxxi+330. Price £ 11.95.
- G.M. KOTHARI, *A Study of Industrial Law*, vol. I (4th ed. 1987). N.M. Tripathi Pvt. Ltd. Pp.xxxi+372. Price Rs. 90.
- JOZSEF VIGH, *Causality, Determinism and Prognosis in Criminology* (1986). Akadémiai Kiado, P.O. B. 24, H-1363, Budapest, Hungary. Pp.301. Price \$27.
- K S. SHUKLA (ed.), *The Other Side of Development: Social-Psychological Implications* (1987). Sage Publications India Pvt. Ltd., M32, Greater Kailash Market I. New Delhi-110 048. Pp. 255. Price Hardback Rs. 175, Paperback Rs. 85.
- KUSHESHWAR SHARMA, *Parva-Nirnaya: A Digest on Dharma-shastra* (1985). Published (with the financial assistance from the Government of India) by N. Kumar, Advocate, Supreme Court of India, New Delhi-110 001. Distributors: Shri Rajrajeshwari Pustakalaya, Kalbhairav Marg, Varanasi-221 001. Pp. 4+xxxvii+144+512+24. Price Rs. 75.
- I ASZLO TROCSANYI, *Fundamental Problems of Labour Relations in the Law of the European Socialist Countries* (1986). Akadémiai Kiado. Pp. 203. Price \$ 19.
- MARTIN L. FRIEDLAND, *The Case of Valentine Shortis: A True Story of Crime and Politics in Canada* (1986). University of Toronto Press, Toronto, Buffalo, London, U.K. Pp.xi+324. Price £ 24.95.
- M.P. JAIN AND S.N. JAIN, *Principles of Administrative Law* (4th ed. 1986). N.M. Tripathi Pvt. Ltd. Pp.lxvi+1072. Price Rs. 200.
- NAOREM SANAJAOBA, *Basic Issues on Centre-State Relation* (1985). Omsons Publications, Panbazar, Gauhati-781 001. Distributors: Western Book Depot, Panbazar, Gauhati. Pp.xxvi+312. Rs. 195.
- RAMASWAMY IYER, *The Law of Torts* (8th ed. 1986 by S.K. Desai and Kumud Desai). N.M. Tripathi Pvt. Ltd. Pp.cxc+644. Price £ 8.95.
- V.R. KRISHNA IYER, *The Muslim Women (Protection of Rights on Divorce) Act* (1987). Eastern Book Co., 34, Lalbagh, Lucknow-226 001. Pp.xxi+143. Price Rs. 50.

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