

Court Attachment Order



X = Total Emoluments &

Y = Total Allowances (Exempted from CA)

Q. 1 A Govt. employee was drawing pay in FPL-6 on 01.07.2021. Court attachment order for debt for the first time in his service for recovery of Rs. 2,00,000 from his salary was received in Sept 2021. The Govt. employee is in receipt of the following pay and allowances:

i. Pay	37,600
ii. Dearness Pay	2,500
iii. House Rent Allowance	3,008
iv. Dearness Allowance	15,416
v. Fixed medical Allowance	1,000
vi. Conveyance Allowance	350
vii. Uniform Allowance	250

What is the maximum amount that can be attached if attachment is in execution of decree other than maintenance.

Ans: Total amount recoverable in respect of the decree = 2,00,000

Q. 2 A Govt. employee was drawing pay in FPL-6 on 01.07.2021. Court attachment order for debt for the first time in his service for recovery of Rs. 2,00,000 from his salary was received in Aug 2021. The Govt. employee is in receipt of the following pay and allowances:

i. Pay	37,600
ii. NPA	7,520
iii. Deputation Allowance	3,000
iv. Interim Relief	4,500
v. Cash Handling Allowances	2,000

What is the maximum amount that can be attached if attachment is in execution of decree other than maintenance. Hem Sharma Classes (9991500264)

Ans.: Total amount recoverable in respect of the decree = 2,00,000

Q. 3 A Govt. employee was drawing pay in FPL-6 on 01.07.2023. Court attachment order for debt for the first time in his service for recovery of Rs. 1,00,000 from his salary was received in 05 Sept 2023. The Govt. employee is in receipt of the following pay and allowances:

i. Pay	37,600
ii. Special Pay	100
iii. Special Allowance	1,000
iv. Cash Handling Allowances	2,000
v. House Rent Allowance	3,008
vi. Fixed medical Allowance	1,000



- (a) What is the maximum amount that can be attached if attachment is in execution of decree other than maintenance.
- (b) He was placed under suspension and entitled to Subsistence Allowance @50% of Pay on 20 Sep 23.

Ans.:

- (a) Total amount recoverable in respect of the decree = 1,00,000
- (b) It is also made clear that no recovery will be made from subsistence allowance and other compensatory allowances vide proviso to section 60(I)(i) of CCP 1908 given in appendix 12 of PFR Vol-II.

Q. 4 A Govt. employee was drawing pay in FPL-6 on 01.07.2021. Court attachment order for debt for the first time in his service for recovery of Rs. 3,50,000 from his salary was received in Aug 2021. The Govt. employee is in receipt of the following pay and allowances:

i. Pay	37,600
ii. Deputation Allowance	3,000
iii. Dearness Pay	2,500
iv. House Rent Allowance	3,008
v. Dearness Allowance	15,416
vi. Fixed medical Allowance	1,000
vii. Interim Relief	4,500



What is the maximum amount that can be attached if attachment is in execution of decree other than maintenance. Hem Sharma Classes (9991500264)

Ans: Total amount recoverable in respect of the decree

3,50,000

Q. 5 A Govt. employee was drawing pay in FPL-6 on 01.07.2021. Court attachment order for debt for the first time in his service for recovery of Rs. 3,60,000 from his salary was received in Aug 2021. The Govt. employee is in receipt of the following pay and allowances:

i	Pay	37,600	v	Dearness Allowance	15,416
ii	Deputation Allowance	3,000	vi	Fixed medical Allowance	1,000
iii	Dearness Pay	2,500	vii	Interim Relief	4,500
iv	House Rent Allowance	3,008			

What is the maximum amount that can be attached if attachment is in execution of decree other than maintenance.

Ans: Total amount recoverable in respect of the decree: 3,57,971

Under section 60(I) of Code of Civil Procedure, the portion of the salary which is under attachment either continuously or intermittently for a total period of 24 months shall be exempted from attachment until the expiry of a further period of 12 months. The same attachment order cannot be enforced again after the expiry of 12 months.

Though the attachment is for Rs. 3,60,000, the total amount that can be recovered from the salary of the officer will be only Rs. 3,57,971 & balance amount Rs. 2,029 cannot be recovered.

Hem Sharma Classes (9991500264)

Q. 6 A Govt. employee was drawing pay in FPL-6 on 01.07.2022. A second Court attachment order was received on Sep 2022 for recovery of Rs. 1,00,000 from his salary while a sum of Rs. 5,000 remained under attachment from 01.01.21 to 31.12.22. The Govt. employee is in receipt of the following pay and allowances:

i. Pay	37,600	ii. Special Allowance	1,000
iii. House Rent Allowance	3,008	iv. Fixed medical Allowance	1,000

Calculate the maximum amount that can be attached if attachment is in execution of decree other than maintenance. Hem Sharma Classes (9991500264)

Ans: Total amount recoverable in respect of the decree = 1,00,000

As the pay of the employee was not attached to extend so recovery of remaining attachment can be made from the pay the employee for total amount of Rs. 1,00,000 in a maximum number of 14 instalments



Q.7 A Gazetted Officer of Haryana Govt. was drawing Basic pay of Rs. 10,900 in the scale of 10000-300-15200. Attachment decree for Rs. 6,500 was issued by the Pb. And Haryana High Court. Calculate the monthly amount to be deducted from his pay. **HSAS August 2000 Adapted**

Ans.:

(a) **In case decree is for maintenance:** Attachable amount = 7,267

(b) **In case decree is for other than maintenance:** Attachable amount = 3,300

Q.8 A Govt. employee was drawing pay in FPL-6 on 01.07.2023. The following emoluments were drawn by the employee:

i. Pay	37,600	ii. Special Allowance	1,000
iii. House Rent Allowance	3,008	iv. Fixed medical Allowance	1,000

A court attachment order for Rs. 20,000 is received in execution of decree for maintenance. What is the maximum amount that can be attached from the salary of Govt. employee.

Hem Sharma Classes (9991500264)

Ans

(a) **In case decree is for maintenance:** Attachable amount = 25,067

(b) **In case decree is other than maintenance:** Attachable amount = 12,200 p.m.

HSAS Coaching: Hem Sharma Classes (9991500264)

Q.9 A Court attachment order for the first time in service of an officer was received for recovery of Rs. 2,20,000 from his salary in Sep. 2010 with the following particulars:

Pay plus Grade Pay Rs. 27,220 in the pay band plus grade pay Rs. 5400 in PB2 Rs. 9300-34800 from 01.07.2010. He is also in receipt of DA Rs.14,679, HRA Rs. 9,786 and Transport Allowance Rs. 4,640 p.m.

The attachment order is not for maintenance. Calculate the amount recoverable each month and the total amount that can be recovered.

HSAS 2011 Adapted

Ans Total amount can be attached to the extent of 2,14,162 and balance amount of Rs. 5,838 cannot be attached in term of Proviso to section 60(I)(i) of Code of Civil Procedure as given in Appendix 12 of PFR Vol-II.

Q.10 An employee of Haryana State Govt. was drawing the band pay plus GP of Rs. 14,400 in the band pay plus GP of Rs. 9300-34800 + Rs. 4200 from 01.07.13. In addition, he is in receipt of DA @ 90% Rs. 12,960. HRA @20% Rs. 2,880 and transport allowance Rs.1,376 p.m. The court attachment order for the first time for the recovery of Rs. 1,20,000 from the salary was received in Aug 13. The attachment order is not for maintenance. Calculate the amount recoverable each month and the total amount that can be recovered. **HSAS Exam Feb 2014 (Morning) Adapted**

Ans. Out of Rs. 1,20,000 only Rs. 1,09,269 will be recovered as above upto 24 months and balance recovery of Rs. 10,731 cannot be made in term of Section 60 (I) Code of Civil Procedure 1908.

HSAS Coaching: Hem Sharma Classes (9991500264)