

Code of Civil Procedure 1908

Section 81 - EXEMPTION FROM ARREST AND PERSONAL APPEARANCE In a suit instituted against a public officer in respect of any act

a) the defendant shall not be liable to arrest nor his property to attachment otherwise than in execution of a decree, and (b) where the court is satisfied that the defendant cannot absent himself from his duty without detriment to the public service, it shall exempt him from appearing in person. 82. Execution of decree (1) Where, in a suit by or against the Government or by or against a public officer in respect of any act purporting to be done by him in his official capacity, a decree is passed against the Union of India or a State or, as the case may be, the public officer, such decree shall not be executed except in accordance with the provisions of sub-section (2). (2) Execution shall not be issued on any such decree unless it remains unsatisfied for the period of three months computed from the date of such decree. (3) The provisions of sub-sections (1) and (2) shall apply in relation to an order or award as they apply in relation to a decree, if the order or award-- (a) is passed or made against the Union of India or a State or a public officer in respect of any such act as aforesaid, whether by a Court or by any other authority; and (b) is capable of being executed under the provisions of this Code or of any other law for the time being in force as if it were a decree. SUITS BY ALIENS AND BY OR AGAINST FOREIGN RULERS, AMBASSADORS AND ENVOYS