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SUPREME COURT

Supreme Court Draws a Clear Line

No Pre-Suit Property, No Pre-Judgment Attachment

Sheikh Rayees • December 1, 2025

PUBLISHED REPORT

In a crisp but emphatic ruling, the Supreme Court shut the door on attempts to freeze assets that no longer belong to a defendant by the time a lawsuit begins. When a property has already changed hands through a registered sale deed before a suit is filed, the Court declared, it stands outside the reach of Order XXXVIII Rule 5 of the Civil Procedure Code—no matter how urgently a creditor...

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