

23.07.2026

Sl. No.06.

D/L.

Mithun.

Ct.No.29.

CRR/2886/2026

Rashmi Kumari Shaw

Vs.

State of West Bengal & Anr.

Mr. Mit Guha Roy,
Ms. Sneha Saha,
Mr. Sayan Sarkar

...for the petitioner

In this application, the petitioner has prayed for appropriate direction upon the Court below for expeditious disposal of M.Execution Case No.286 of 2022 presently pending before learned Judicial Magistrate, 9th Court, Alipore.

Being aggrieved by the inordinate delay caused in disposal of the said proceeding, learned Counsel for the petitioner submits that learned Judicial Magistrate, 9th Court, Alipore disposed of the petitioner's application under Section 23(1) of PWDV Act, 2005 in connection with A.C. Case No.607 of 2021 granting interim monetary relief of a sum of Rs.26,000/-. As the said amount awarded by the learned Magistrate was not paid, the petitioner preferred the present execution proceeding being M. Execution Case No.286 of 2022 for realization of the arrear amount on 04.07.2022. The said execution proceeding is still pending for disposal and it involves an amount of approximately Rs.6,91,000/-.

Learned Counsel for the petitioner submits that the petitioner is a hapless lady who is bringing up a specially abled girl child and is knocking door of justice for last four years without

having any remedy and, as such, appropriate direction may be passed upon the Court below.

Having heard learned Counsel for the petitioner, I find that the prayer made by the petitioner is innocuous and if it is allowed in terms of the prayer made therein, the opposite party will have no cause to prejudice and, as such, service of copy of application upon the opposite party is dispensed with.

Having heard learned Counsel for the petitioner and that the execution proceeding has practically got stalled for about four years, I find that the prayer made by the petitioner is justified and required to be allowed to secure the ends of justice.

In view of above, the instant application being CRR 2886 of 2026 is hereby disposed of with a direction upon the Court below or Court-in-Charge of the Court below to make every endeavour for expeditious disposal of the execution case being M. Execution Case No.286 of 2022 and to make his best effort to conclude the entire proceeding preferably within a period of 3 months from the next date of hearing.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)