

S/L 12
19.10.2020
Court No.10
SD

**C.O. 1302 of 2020
(Via Video Conference)**

Sri Bratin Saha
Vs.
Smt. Kalpana Saha & Ors.

*Mr. Souradipta Banerjee
Mr. Subhojit Mullick*

...for the Petitioner.

Mr. Dhiraj Trivedi

...for the Opposite Parties.

This revisional application is against the order passed by the learned Judge, 2nd Bench, City Civil Court dated January 27, 2020.

The case of the petitioner is that his execution application is not being heard as per the orders passed by the Hon'ble Division Bench of this Court.

The petitioner prays that the Title Execution Case No.31 of 2009 be heard by the concerned authority and the execution proceedings therein proceed in accordance with law.

I have heard counsel appearing on behalf of both the parties and I am of the view that as the occupational charges have not been paid by the judgment debtor, the trial court should proceed with the execution application in accordance with law.

Keeping in mind the prevailing Covid pandemic situation, the learned Court below is directed to complete the

execution proceedings within a period of nine months from date.

The petitioner is at liberty to proceed in accordance with law with any other application with regard to any alleged construction before the appropriate forum in accordance with law.

I make it clear that I have not gone into the above aspect at all.

With these observations, CO 1302 of 2020 is disposed of.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Shekhar B. Saraf, J.)