

24-01-2020
Court No.3
(AJ/Sandip)
SI/28.

**CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE**

C.O. 102 OF 2019

**Baby Ghosh
Vs.
L.A. Collector, Darjeeling**

Mr. Nabankur Paul.

. . .For the Petitioner.

The order proposed to be passed in the present application under Article 227 of the Constitution of India would not cause any prejudice to the opposite party, as such service of notice of the revisional application upon the opposite party is dispensed with.

An application was filed by the petitioner on December 14, 2017 for execution of the decree passed in Misc. Judicial Case Nos. 17 of 1999, 18 of 1999 and 19 of 1999 has been registered as L.A. (Execution) Case No. 1 of 2017 before the 1st Court of learned Additional District Judge, Darjeeling.

The grievance of the petitioner is that the opposite party is unnecessarily delaying the disposal of the said execution case by taking time to file written objection.

On perusal of the certified copy of the orders passed in the said execution case, it appears that the grievance of the petitioner is justified.

The decree was passed in the year 2015, the execution of which must be concluded within a reasonable time.

The Executing Court, therefore, is requested to dispose of the execution case expeditiously preferably within a period of six months from the date of communication of this order without granting any unnecessary adjournment to either of the parties.

With the above, C.O. 102 of 2019 is disposed of.

No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)