

S/L 10
23.09.2021
Court. No. 7
sb

CO 314 of 2021
(Via Video Conference)

Kalipada Sahoo
Vs.
Sudhangshu Sahoo

Ms. Kavita Rani, Advocate

...for the Petitioner.

Affidavit-of-service filed in Court today be kept with the record.

In spite of service, none appears for the opposite party.

This is an application for expeditious hearing of Other Execution Case No. 5 of 2018 pending before the Civil Judge (Junior Division), 3rd Court, Paschim Medinapur.

It appears from the order dated January 4, 2021 that the hearing of the execution petition was adjourned on the verbal submission of the learned advocate for the judgment debtor that an appeal is pending before this Hon'ble Court.

The learned advocate for the petitioner submits that the next date is fixed on November 17, 2021 in the execution case. She further submits that no notice in connection with the appeal pending before the Hon'ble Court has been served upon the petitioner herein.

It is well settled that execution of a decree cannot be stayed only for the reason that an appeal has been preferred. The learned Executing Court is requested to proceed with the

Other Execution Case No. 5 of 2018 unless there is any subsisting order of stay of the said execution case and to make endeavour to dispose of the same as expeditiously as possible and preferably within a period of six months from the next date fixed.

In view thereof, CO 314 of 2021 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Hiranmay Bhattacharyya, J.)