

S/L 21
15.03.2021
Court. No. 19
GB

C.O. 505 of 2021

Sri Biswanath Mallick
Vs.
Sri Arun Kumar Sardar

(Through Video Conference)

*Mr. Shambhu Nath Ray,
Ms. Tirthaa Dey.*

...for the Petitioner.

This revisional application has been filed praying for expeditious disposal of Money Execution Case No.9 of 2005 pending before the learned Civil Judge (Senior Division), 1st Court at Barasat.

It is contended that more than 15 years have passed since the money execution case has been filed, but the learned court below has not disposed of the same.

Records also reveal that several opportunities have been given to the judgment debtor to appear before the court and file the show cause but no steps have been taken.

As per the records available before this Court and considering the innocuous prayer made by the petitioner for expeditious disposal of the money execution case and also considering the age of the money execution case, this Court is of the opinion that justice would be sub-served if the learned court below is directed to dispose of the said money execution case within a period of two months from the next

date fixed. The learned court below shall proceed independently and in accordance with law.

This Court has not gone into the contention of the plaintiff/decreed-holder and has left all the issues open, to be decided by the learned court below. It is further contended that the time limit fixed should be treated as mandatory.

Petitioner is directed to serve a copy of this revisional application along with a server copy of this order upon the opposite party.

The revisional application is disposed of.

There will be, however, no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)