

10,DL,Ct.18
03.09.2021
A.J.

C.O. 1497 of 2021
(Through Video Conference)

Sudarshan Roy
-Vs-
The State of West Bengal & Ors.

Mr. Mani Sankar Chattopadhyay.
... 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 parties, as such, service of notice of the present application upon the said opposite parties is dispensed with.

The petitioner filed the suit being Title Suit No.6 of 2006 for the decree of declaration and recovery of possession of the suit property in the 4th Court of the learned Civil Judge (Senior Division) at Alipore. The said suit was decreed on January 16, 2007.

The said decree was put into execution on June 12, 2007 giving rise to the connected Execution Case No.8 of 2007.

The petitioner complains that one of the judgment debtors, the opposite party no.14 herein to stall the progress of the said execution case filed several misc. cases in the said execution case, but those misc. cases although have already

been dismissed by the Executing Court, but there is no progress of the said execution case.

Mr. Manishankar Chattopadhyay, learned advocate appearing on behalf of the petitioner prays that an appropriate direction be passed directing the Executing Court to dispose of the said execution case within a specific time.

Mr. Chattopadhyay files photocopy of the orders passed in the said execution case wherefrom it appears that the petitioner has a genuine grievance.

It appears from the orders passed in the said execution case that there is no impediment to bring the said execution case into a logical conclusion expeditiously.

The 4th Court of the learned Civil Judge (Senior Division) at Alipore, District 24-Parganas (South) is therefore requested to dispose of the Title Execution Case No.8 of 2007 as expeditiously as possible preferably within a period of six months from the date of communication of this order if the same is otherwise ready for such disposal.

The Executing Court to adhere to the time limit fixed by this order for disposal of the said execution case shall not entertain prayer of the parties for any unnecessary adjournment.

C.O. 1497 of 2021 is disposed of without any order for 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.)