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Ct. 18
26.11.2021

**C.O. No. 1597 of 2021
(Via Video Conference)**

**Darshan Mekani
Vs.
Vision Promotion Pt. Ltd & Ors.**

Ms Senal Shah,
Mr. Kushagra Shah,
Mr. Aniket Chowdhury ... For the petitioner.

The opposite party no. 1 since is not a party to the connected execution case, leave is granted to the petitioner to delete the name of the said opposite party from the cause title of the present revisional application.

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 present revisional application under Article 227 of the Constitution of India is arising out of Title Execution Case No. 09 of 2001 pending before the 9th Court of learned Civil Judge, (Senior Division) at Alipore, District – 24 Parganas (South).

The transferee decree-holder of a decree of eviction has put the said decree into execution giving rise to the aforesaid execution case.

The petitioner is complaining inordinate delay in disposal of the said execution case and is praying a

direction upon the Executing Court for expeditious disposal of it.

It appears from the record that due to the pendency of an application under Section 47 of the Code of Civil Procedure registered before the executing Court being Misc. Case No. 5 of 2020, the further progress of the said execution case is being deferred.

The decree under execution was passed on March 30, 2001. The holder of such decree can legitimately expect its full satisfaction within a reasonable time, pendency of the said execution case for Twenty years is not appreciated.

The executing Court is, therefore, requested to dispose of the said execution case along with the connected Misc. case expeditiously preferably within a period of three effective available working months of the said Court from the date of communication of this order and in doing so shall not grant any unnecessary adjournment to either of the parties.

C.O. 1597 of 2021 is disposed of with the above terms without any 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.)