

16.11.2021
(S/L-10)
Ct.-18
(Susanta)

(Via Video Conference)
C.O. 1708 of 2021

Joydeb Ghosh
-Vs-
Kartick Ghosh

Mr. Anil Kumar Chattopadhyay,
.... For the Petitioner.

The order proposed to be passed in the present revisional 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 present revisional application upon the said opposite party is dispensed with.

The petitioner has suffered an ex parte decree of eviction in Title Suit No. 216 of 2003.

The said decree has been put into execution giving rise to Title Execution Case No. 90 of 2018 before the 6th Court of Learned Civil Judge (Junior Division), Howrah.

The petitioner in the said execution Case has filed an application under Section 47 of the Code of Civil Procedure being Misc. Case No. 96 of 2019.

The petitioner is praying a direction upon the Executing Court for expeditious disposal of the said Misc. Case.

The pendency of the said Misc. case is hampering the progress of the Execution Case.

The Executing Court, therefore, is requested to dispose of the said Misc. Case in accordance with law, expeditiously, preferably within a period of two available effective 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. 1708 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.)