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SK
Ct. No. 18
28.01.2021

**C.O. No. 1677 of 2020
(Via Video Conference)**

**Sunil Shaw
Vs.
Zubaida Hamid & Anr.**

Mr. Sukhendu Banerjee,
Mr. Anirban Dey,
Mr. Mritunjay Saha ... For the petitioner.

Mr. Wasim Ahmed,
Mr. Najeemuddin Munshi ... For the O.P. No. 1.

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

The decree passed in the ejectment suit being Ejectment Suit No. 39 of 2005 by the 2nd Court of learned Civil Judge, (Junior Division), Alipore, District 24 Parganas (South) was put into execution giving rise to Ejectment Execution Case No. 10 of 2016.

The petitioner in the said execution case has filed an application under Order XXI Rules 98, 99, 100 and 101 of the Code of Civil Procedure inviting the executing Court to determine his alleged independent right, title, interest over the suit property.

The said application has been registered before the Executing Court as Miscellaneous Case No. 81 of 2019.

The petitioner complains inordinate delay in disposal of an application under Section 151 of the Code of Civil Procedure filed by him for implementation of an order

dated June 1, 2019 passed in the said misc. case by police assistance.

Mr. Ahmed, learned advocate appearing on behalf of the decree-holder/opposite party no. 1 invites my attention to an order passed by this Court on March 02, 2020 in C.O. 4216 of 2019, whereby the connected misc. case along with the other pending misc. case were directed to be disposed of expeditiously.

In view of the said earlier direction passed by this Court and in view of the nature of the decree under execution, the 2nd Court of learned Civil Judge, (Junior Division), Alipore is requested to dispose of all the misc. cases filed in the connected execution case along with the pending applications thereto expeditiously, preferably within a period of eight weeks from the date of communication of this order.

The executing Court to adhere to the time limit fixed by this order for disposal of the said misc. cases shall not grant any unnecessary adjournment to either of the parties.

C.O. 1677 of 2020 is disposed of with the above terms.

No 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.)