

S/L 16
05.9.2022
Court No.652
SD

CO 652 of 2020

Suman Kumar Sanpui & Ors.
Vs.
Rupak Pal & Anr.

Mr. Kanai Lal Mondal
Mr. Rajat Kumar Dhar

...for the Petitioners.

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

In spite of service none appears on behalf of the opposite parties in Court today.

This revisional application has been preferred by the petitioners for expeditious hearing of the Title Execution Case No.9 of 1999 in connection with Title Suit No.178 of 1992 pending before the learned Civil Judge (Junior Division), 1st Court, Baruipur, South 24-Parganas.

The petitioners have contended that they filed the title execution case in the year 1999 and it is pending till today. Petitioners further submit that a second appeal being SA 288 of 2001 was filed by the defendants/opposite parties which stood abated and accordingly disposed of by the High Court vide order dated 09.02.2018. Since then no further proceeding is pending in connection with the title suit or the said execution case.

It is submitted that until and unless an appropriate direction for expeditious disposal of said execution case be

not passed by the Hon'ble High Court then the execution matter will remain pending for an indefinite period.

The petitioners in support of their contention filed copy of order sheet which shows that no further date has been fixed for hearing by the executing court and it is only fixed for deposit of challan by the judgment debtor/defendant.

Having considered the aforesaid facts and circumstances of the case and that the execution case is pending since long and the prayer made by the petitioners/plaintiffs/decreed-holders is very innocuous, the revisional application is hereby disposed of with a direction upon the learned Civil Judge (Junior Division), 1st Court, Baruipur, South 24-Parganas to dispose of the execution case being Title execution case No. 9 of 1999 as expeditiously as possible preferably within a period of six months from the date of communication of this order.

C.O. 652/2020 is thus disposed of.

Copy of the order sheet filed by the petitioners be kept with the record.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Ajoy Kumar Mukherjee, J.)