

S/L 29
18.11.2022
Court. No. 12
Sourav

CO 1114 of 2022

**Chandan Chatterjee & Anr.
Vs.
Biswanath Karmakar**

*Mr. Sourav Sen
Ms. Adrisnata Chakraborty*

...for the petitioners.

Affidavit-of-service filed in Court today on behalf of the petitioners be kept with the record.

Mr. Sourav Sen, learned advocate for the petitioner is present. None appears on behalf of the opposite party. Heard the learned advocate for the petitioners at length.

Perused the certified copy of the impugned order. It reveals that by the impugned order, learned Executing Court stayed Title Execution Case No. 1 of 2019 on the prayer of the judgment debtor since the judgment debtor has filed a Misc. case under Order IX Rule 13 of the Code of Civil Procedure for setting aside the *ex parte* decree as passed against him.

It is reported that in the said Misc. case, i.e., Misc. Case No. 12 of 2019 the opposite parties i.e., the present petitioners have already entered appearance.

Such being the position, this Court directs the learned Civil Judge (Junior Division), Bangaon, North 24 Parganas to hear out Misc. Case No. 12 of 2019 on day to day basis and shall conclude the trial of the Misc. case, i.e., Misc. Case No. 12 of 2019 positively within six months from the date of communication of this order.

The instant revisional application being CO 1114 of 2022 is, thus, disposed of.

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

(Partha Sarathi Sen, J.)