

23.06.2022
Item No.20
Ct. No.7
CHC
(disposed of)

C.O.1399 of 2022

**Shri S. P. Ghosh also known as Shri Shyamapada
Ghosh**

Vs.

Shri Tarapada Bhowmick & anr.

Mr. Sayan Sinha,
Mr. Rishabh Dutta Gupta
...for the petitioner

A direction to secure expeditious disposal of Money Execution Case No.662 of 2014, arising out of Money Suit No.16 of 2004, pending before learned Civil Judge (Senior Division), 2nd Court, Howrah, is the ultimate relief sought for in this case.

It is submitted by the learned advocate for the petitioner that the decree-holder is a senior citizen and the fruits of the Money Suit, which the petitioner has obtained after a long battle, may be made available to him during his life time.

No other point is raised requiring address by this Court.

An interlocutory application filed under Section 47 C.P.C. registered as Misc.Case No.24 of 2016 is found pending before the court below vide Money Execution Case No.662 of 2014.

In view of the nature of order proposed to be made in this case, nor prior notice is considered to be necessary.

Service of notice upon the opposite parties stands dispensed with.

Accordingly, learned Civil Judge (Senior Division), 2nd Court, Howrah, in connection with Money Execution Case No.662 of 2014 is requested to ensure expeditious disposal of Misc.Case No.24 of 2016, registered under Section 47 C.P.C., providing sufficient opportunity of hearing to either of the parties to this case, but without granting any unnecessary adjournment, unless it is extremely unavoidable.

This would not, however, prevent the court below to ensure expeditious disposal of the pending Money Execution Case taking into account the year of institution of Money Execution Case, in the manner as situation of the case would demand, so as to dispense with the justice in a best possible and expeditious manner.

Petitioner is directed to make communication of this order to the learned court below as well as to the opposite parties and their advocate in the court below.

With this observation/direction, the revisional application stands disposed of.

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

(Subhasis Dasgupta, J.)