

24.02.2022
SL No. 21
Court No. 21
Ali

C.O. 1278 of 2021

The State of West Bengal

Vs

Smt. Lilabati Das

(Via Video Conference)

Mr. Ayan Banerjee,
Mr. Arindam Chatterjee,
Mr. Soumo Chaudhury,
Ms. Debjani Sengupta

.....for the Opposite Party

None appears on behalf of the petitioner when the matter is called.

Record shows that the petitioner was also absent on 2.9.2021.

On the other hand, opposite party is represented by her learned lawyer Mr. Ayan Banerjee.

It is seen that the petitioner aggrieved by the order of issuance of writ of attachment of moveable property passed by the Additional District Judge, 1st Court, Hooghly in L.A. Execution Case No. 3 of 2020 on 23.4.2021 has preferred this revisional application.

It has been submitted by the learned lawyer for the opposite party that petitioner has already filed Appeal before this Hon'ble Court challenging the Award dated 26.11.2019 from which L.A. Execution No. 3 of 2020 has arisen. Therefore, in view of the

pendency of appeal the present revisional application does not lie.

Since the petitioner has failed to appear and proceed further with the hearing, this Court holds the petitioner is not interested perhaps due to filing of appeal before this Hon'ble High Court. Therefore, I do not find any reason to keep this matter pending.

Accordingly C.O. No. 1278 of 2021 is dismissed for non-prosecution.

Connected application, if any, is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order duly downloaded from the official website of this Court.

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

(Kesang Doma Bhutia, J.)