

16.08.2022
Item No.193 ML
Ct. No.7
CHC

C.O.1832 of 2022

**Smt. Maheshwari Devi, Administratrix of the
estate of Rajmata Durgesh Kumari Devi
Vs.
Smt. Dhira Mitra**

Mr. Anurag Bagaria,
Ms. Riya Debnath

...for the petitioner

A direction to secure expeditious disposal of Miscellaneous Cases arising out of Title Execution Case No.67 of 2018, is the ultimate relief sought for in this case.

Above Miscellaneous Cases admittedly are found originated from Title Suit No.759 of 2004 of learned Judge, 5th Bench, City Civil Court, Calcutta.

This has a direct reference to Title Execution Case No.67 of 2018.

The only contention expressed by the decree-holder/petitioner is against the delay caused in the disposal of Execution Case mentioned hereinabove.

No other point is raised requiring address by this Court.

In view of the nature of order proposed to be made in this case, no prior notice is considered to be necessary.

Service upon the opposite party stands dispensed with.

Miscellaneous Case No.487 of 2019 is relatable to police assistance for the execution of the decree, while Miscellaneous Case No.609 of 2019 pertains to Order 21 Rule 97 to 101 C.P.C.

In view of above, learned Judge, 5th Bench, City Civil Court, at Calcutta, is requested to ensure expeditious disposal of Misc. Case No.609 of 2019, 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 disposal of Misc. Case No.487 of 2019 after the decision is returned by the court below in connection with Misc. Case No.609 of 2019.

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

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

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.)