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C.O. 2737 of 2022

**Dipta Dutta & Anr.
Vs
Ashok Mondal @ Bhadu Mondal**

Mr. Rabindra Narayan Dutta,
Mr. H. K. Halder,
Mr. A. Mukherjee. ... For the petitioners.

A direction to secure expeditious disposal of Title Execution Case No. 12 of 2012 pending before the learned Civil Judge (Junior Division), 2nd Court Kandi, is the ultimate relief sought for in this case.

Mr. Rabindra Narayan Dutta, learned advocate appearing for the petitioners/decreed holder submits that the fruits of the decree granted in the year 2012, after a contested hearing in suit, has been rendered to be infructuous, and the decreed holder at the moment is highly annoyed with the execution proceedings, and apprehends that the fruits of the decree may not be reached to him during his life time.

It is submitted by the petitioner that Second Appeal has been dismissed for default, and there is no restitution application pending as yet.

No other point is raised requiring address by this Court

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

be necessary.

Service upon the opposite party is thus dispensed with.

Accordingly, learned Civil Judge (Junior Division), 2nd Court Kandi, in Title Execution Case No. 12 of 2012 arising out of O.S No. 62 of 2009 is requested to ensure expeditious disposal of the pending Execution Case, referred hereinabove, providing sufficient opportunity of hearing to either of the parties to this case, after adhering to the formalities, if there be any, still left uncompleted preferably before the end of December, 2022

Petitioners are directed to make communication of this order to the learned court below as well as to the learned advocate appearing in the court below for the opposite party and the opposite party.

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

Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Subhasis Dasgupta, J)