

10.02.2023
Item No.8
Ct. No.7
CHC
(disposed of)

C.O. 61 of 2023

Dr. Sipra Guha
Vs.
Aloke Kumar Sengupta

Mr. Snehashis Sen

...for the petitioner

A direction to secure expeditious disposal of execution case being Title Execution No.13 of 2019, pending before learned Civil Judge (Senior Division), 2nd Court, at Barasat, North 24 Parganas, is the ultimate relief sought for in this case.

As per submission disclosed by the petitioner it appears that an appeal is pending impugning the decree granted in favour of the decreeholder, and there is no stay order granted by the appellate court as per report of the Sheristedar produced before the court below.

The prayer proposed for execution could have been easily made before the first lower appellate court where the appeal is pending soliciting a direction for execution of the decree pending before the court below.

The revisional application stands disposed giving liberty to petitioner to approach the first lower

appellate court for the desired relief regarding execution of the decree.

If any application is filed seeking execution of the decree before the appellate court, the same may be disposed of in accordance with law.

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.)