

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION
APPELLATE SIDE

CO 153 of 2023

Manoj Kumar Gupta
Vs.
Jhawar Brother Realtors Private Limited & Ors.

Mr. Akash Munshi
Mr. Ghanshyam Jha
Mr. Rowsan Kumar Jha
... For the petitioner

Affidavit of service filed in Court today is taken on record.

This application has been filed for expeditious disposal of the Title Execution Case No.29 of 2021 arising out of Title Suit No.1255 of 2017.

From the record, it appears that the learned Judge-in-Charge, 8th Bench, City Civil Court, Calcutta, has passed an order adjourning the case fixing 18th March, 2023 for hearing of the execution case. Learned advocate on behalf of the petitioner has not been filed any order passed subsequent to 17th December, 2022.

It is submitted that the 8th Bench, City Civil Court, Calcutta, is lying vacant and for that reason the Judge-in-Charge of the particular Bench is not willing to hear the execution case.

Considering all facts and circumstances of the instant case, I do not find any reason to ask the

petitioner to serve notice upon the opposite parties. Thus, service of notice upon the opposite parties stands dispensed with.

There is no bar in disposing the execution case by the Judge-in-Charge in respect of the Bench No.8.

Considering the facts and circumstances, the Judge-in-Charge, 8th Bench, City Civil Court, Calcutta, is requested to hear out the Title Execution Case No.29 of 2021 in presence of both sides, without granting any unnecessary adjournment to any of the parties to the suit.

With the above observation, the revisional application, being CO 153 of 2023, stands disposed of.

Learned advocate appearing on behalf of the petitioner is at liberty to bring this order to the notice of the Judge-in-Charge, 8th Bench, City Civil Court, Calcutta, forthwith.

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

(Bibhas Ranjan De, J.)