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C.O. 322 of 2023

**Binod Multi Projects Private Limited
Vs
Bank of Maharashtra & Ors.**

Mr. Debjit Mukherjee,
Ms. Susmita Chatterjee,
Mr. Meghajit Mukherjee,
Mr. R. Agarwal,

... For the petitioner.

A direction to secure expeditious disposal of application filed on 12th September, 2022 praying for an order to release a sum of Rs. 60 lakhs along with accrued interest, said to be deposited with the Registrar General of this Court, is the ultimate relief sought for in this case.

Mr. Debjit Mukherjee, learned advocate appearing for the petitioner draws attention of the Court to order dated 5th January, 2010 passed in FAT No. 62 of 2009 granting stay subject to the deposit of Rs. 60 lakhs with the Registrar General of this Court. Ultimately the said FAT 62 of 2009 relatable to granting stay has been converted to FA 40 of 2010, which was ultimately dismissed for default on 13th April, 2022.

The petitioner has taken a specific averment in the referred application stating that no other execution proceeding is pending, and no further appeal is pending at the moment.

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 parties is thus dispensed with.

Accordingly, learned Civil Judge (Senior Division), 1st Court, Alipore in Execution Case No. 12 of 2022 arising out of Money Suit No. 5 of 1998 is requested to ensure expeditious disposal of the referred interlocutory applications mentioned hereinabove, subject to the suitability and convenience of the Court below, providing sufficient opportunity of hearing to either of the parties to this case, either on the date scheduled (tomorrow being the scheduled date), or if for any reasons whatsoever, the same could not be done, the same may be peremptorily taken up for consideration within fortnight thereafter, and pass necessary order in accordance with law, in terms of the prayer.

Petitioner is 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 parties and the opposite parties.

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)