

21.06.2023
Sl. No.207(DL)
srm

C.O. No. 1802 of 2023

Sri Manash Kumar Dikshit & Anr.

Versus

Sri Manaranjan Dikshit & Anr.

Mr. Amit Baran Dash,
Ms. Ankana Sarkar

...for the Petitioners.

The revisional application has been filed for expeditious disposal of the Title Execution Case No.01 of 2021, which is pending before the learned Civil Judge (Junior Division), 1st Court at Contai, Purba Medinipur.

The petitioner submits that the learned court below may be directed to dispose of the said execution case.

Records reveal that the execution case is proceeding *ex parte*. The judgment-debtor was asked to show cause as to why the execution should not proceed *ex parte*. The judgment-debtor failed to take steps and ultimately by an order dated June 9, 2022 the learned Executing Court ordered that the execution case would be heard *ex parte*. The decree-holder was asked to take proper steps. The examination-in-chief of the bailiff and the process server were held. They exhibited certain

documents. Arguments were also advanced by the decree-holder.

An order of expeditious disposal of any litigation enures to the benefit of all the parties. The execution case is proceeding ex parte. Hence, service of the revisional application is not necessary. The prayer is innocuous.

Under such circumstances, the revisional application is disposed of with a direction upon the learned court below to conclude the execution proceeding in its entirety within a period of two months from the next date fixed, strictly in accordance with law and independently.

This Court has not gone into the merits of the execution case.

The revisional application is, thus, disposed of.

There will be, however, no order as to costs.

Parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)