

11.01.2023
Item No.11
Ct. No.7
CHC
(disposed of)

C.O. 3084 of 2022

Smt. Chaitali Dutta

Vs.

Arati Saha & ors.

Mr. Manas Kumar Das,
Mr. Aritra Kumar Thokdar
...for the petitioner

The subject-matter of challenge in this case is against the rejection of an application filed under Section 47 C.P.C.

The point taken under Section 47 C.P.C. is relatable to limitation and the principle of *res judicata*, which are not the subject for decision in an application under Section 47 C.P.C. The prayer for police help during first round of litigation was opposed by the petitioner/judgment-debtor and it is after disposal of the police help application. The instant prayer under Section 47 C.P.C. has been filed with huge delay without affording any explanation.

Admittedly, decree was granted in 2008. No appeal is submitted to be pending before any superior forum challenging the decree.

Upon perusal of the impugned order, it appears that it does not call for any interference.

The revisional stands disposed of.

Petitioner is directed to make communication of this order to the learned court below as well as to the opposite parties and their learned advocate in the court below.

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.)