

January 30, 2024
Sl. No.185
Court No.19
s.biswas

CO 172 of 2024

Amar Nath Pramanick

vs.

Ranjit Majhi

Mr. Shyamal Chakraborty

Mr. Jayanta Dhar

Mr. Debojyoti Mondal

Ms. Anjana Das

... for the petitioner

The petitioner prays for expeditious disposal of Ejectment Execution Case No.128 of 2004, which is pending before the learned Judge, 6th Bench, Presidency Small Causes Court at Calcutta. The said ejectment execution case has been pending since long. It is submitted that no interlocutory applications are pending.

According to the petitioner, the suit was decreed by the Hon'ble Apex Court. The petitioner has been fighting for the last 32 years.

Under such circumstances, this court is of the view that justice would be subserved, if the learned court below is directed to dispose of the said execution case, on an urgent basis.

This court has not gone into the merits of the execution case. An order of expeditious disposal of any litigation, enures to the benefit of all the parties. Hence, prior service of this revisional application upon the opposite party, would not be necessary. The prayer is innocuous and very reasonable.

The revisional application is disposed of with a direction upon the learned Judge-in-Charge, in case the regular Bench is not available, to dispose of the pending execution case, within a period of three months from the next date fixed, without granting unnecessary adjournments to either of the parties and upon granting adequate opportunity to the opposite party to contest the proceedings. The learned court below shall proceed strictly in accordance with law and independently.

Petitioner is directed to serve a copy of this revisional application along with the server copy of this order upon the opposite party.

Accordingly, the revisional application is disposed of.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)