

04.09.2024
(M/L-82)
Ct.-19
(Susanta)

IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION

C.O. 484 of 2024

Kabal Singh

-Vs-

Smt. Seema Satnalika

Ms. Soma Kar Ghosh,

Mr. Arabinda Pathak,

Ms. Suparna Pal,

... For the Petitioner.

Mr. Goutam Das,

.... For the Opposite Party.

The petitioner has suffered a decree of eviction
in the *Ejectment Suit no. 32 of 2019*.

The said decree was put into execution giving
rise to connected *Ejectment Execution case no. 21
of 2022* before the learned Civil Judge (Junior
Division) at Bidhannagar, District: 24-Pargnas
(North).

In the said execution case, the petitioner has
filed an application under Section 47 of the Code
of Civil Procedure alleging that the decree was
passed against a dead person, as such, a nullity.

The said application has been registered as
Misc. Case No. 5 of 2023.

The Executing Court by the orders impugned
dated January 20, 2023 and February 06, 2023
has refused to grant stay of the said execution
case without hearing the decree-holders.

There is no illegality and/or infirmity in such approach of the Executing Court.

Mr. Gautam Das, learned advocate appears on behalf of the decree-holder and submits that his client would appeal and contest the said Misc. Case.

Be that as it may, the orders impugned do not call for any interference.

C.O. 484 of 2024 is dismissed with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)