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July2024
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Ct. 19
16.07.2024

In The High Court At Calcutta
Civil Revisional Jurisdiction
(Appellate Side)
C.O. 1219 of 2024
Dipankar Gayen
Vs.
Laxmi Kanta Sain

Mr. Falguni Bandyopadhyay,
Mr. Suvendu Hazra,
Ms. Riya Ballav ... For the petitioner.

Mr. Prosenjit Mukherjee ... For the opposite party.

The petitioner has suffered a decree of eviction in Title Suit No. 42 of 2017 and has preferred the connected Title Appeal No. 25 of 2023 which is pending before the learned Civil Judge, (Senior Division), at Arambagh, District – Hooghly.

The appeal Court below by the order impugned dated March 13, 2024 has refused to pass an ex-parte order of stay.

There is nothing in the record to suggest that there was a threat of immediate dispossession of the petitioner in execution of the decree under appeal, as such this Court does not find any illegality and/or infirmity in the course adopted by the appeal Court below.

Mr. Prosenjit Mukherjee, learned advocate for the plaintiff/decreed-holder submits that his client will appear before the appeal Court on the next date fixed.

The appeal Court below is requested to dispose of the application for stay expeditiously in accordance with law and upon disposal of the said application, shall expedite the disposal of the appeal itself and in

doing so, shall not grant any unnecessary adjournment to either of the parties.

C.O. 1219 of 2024 is disposed of 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.)