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*In The High Court At Calcutta
Civil Revisional Jurisdiction*

C.O. No. 1274 of 2024

**Ranjit Sarkar
Vs.
Ashim Kanti Bala**

Mr. Asis Bhattacharyya,
Mr. Debnath Ganguly ... For the petitioner.

The judgment-debtor in a suit for eviction is the petitioner of the instant application under Article 227 of the Constitution of India. The petitioner has suffered a decree of eviction in Title Suit No. 215 of 1995. The said decree has been put into execution giving rise to the connected Title Execution Case No. 08 of 2018 before the learned Civil Judge, (Junior Division) at Bongaon, District – 24 Parganas (North).

The petitioner had filed an application under Section 47 of the Code of Civil Procedure questioning the execution and satisfaction of the decree on the ground that the decreetal property is inaccessible. The said application was registered in the said execution case as Misc. Case No. 26 of 2023.

The executing Court by the order impugned dated February 26, 2024 has dismissed the said miscellaneous case.

The ground on which the executibility of the said decree has been questioned does not come within the purview of the provision under Section 47 of the Code, therefore the order impugned does not call for any interference.

C.O. 1274 of 2024 therefore is dismissed without any order as to costs.

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.)