

19.08.2024
Item No.9, DL
Ct.19
A.J.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 2955 of 2023

Smt. Arati Mondal & Anr.

-Vs-

Sri Satya Ranjan Kundu & Ors.

Mr. Kushal Chatterjee,
Mr. Debrup Choudhury.
.....for the petitioner.

Mr. Ashok Kumar Banerjee,
Senior Advocate,
Mr. Srijib Chakraborty,
Ms. Reshmi Ghosh,
Ms. Parna Mukherjee.
.....for the opposite parties.

Affidavit of service filed on behalf of the
petitioners be kept with the record.

The petitioners have suffered a decree of
eviction in the Title Suit No. 14 of 2015, the said
decree has been put into execution, giving rise to
the Title Execution Case No. 01 of 2016 before the
Court of learned Civil Judge(Senior Division),
Small Causes Court at Sealdah.

The Executing Court by the order
impugned being order dated July 28, 2023 has
allowed an application filed by the decree holders,
the opposite parties herein, under Rule 208 of
The Civil Rules and Orders of Calcutta High Court
thereby has granted police assistance to execute
the said decree of eviction.

There is a huge number of the judgment-
debtors, in view thereof, the apprehension of

serious danger to the public peace in execution of the said decree cannot be ruled out. The Executing Court, in the order impugned, has recorded that there is ample evidence of resistance from the end of the judgment-debtors, the requirements of the said Rule 208 since have been satisfied, this Court does not find a reason to interfere with the order impugned.

C.O. 2955 of 2023 is thus dismissed without any order as to costs.

Mr. Banerjee, learned Senior Advocate for the decree holders submits that pursuant to the order impugned, the costs for such police assistance has already been deposited.

The Police Authorities are directed to expedite the execution of the said decree.

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

(Biswajit Basu, J.)