

Sl. 5
24.03.2025
Court No.6
BP

C.O. 858 of 2025

Sanjoy Banerjee & Anr.
-versus-
Reba Banerjee & Ors.

Mr. Sovan Mukherjee
.... for the petitioners

Seen the report of the learned District Judge, South 24 Parganas dated March 20, 2025 and the report of the learned Civil Judge (Senior Division), 1st Court, Alipore in-charge of Civil Judge (Senior Division), 8th Court, Alipore, South 24 Parganas dated 19th March, 2025.

From the report of the learned District Judge it appears that no permission was sought for from the learned District Judge at Alipore by the learned Civil Judge (Senior Division), 8th Court at Alipore.

This application under Article 227 of the Constitution of India is at the instance of the decree holders praying for a direction upon the learned Civil Judge (Senior Division), 8th Court at Alipore to dispose of Title Execution Case No. 17 of 1984 expeditiously.

From the order-sheet appended to this application it appears that the hearing of the execution case was adjourned from time to time awaiting orders from the learned District Judge with regard to the re-construction of the records pertaining to Title Execution Case No. 17 of 1984. From the report of the learned District Judge dated March 20, 2025 it is evident that no approval for reconstruction of the record was sought for by the learned

Civil Judge (Senior Division), 8th Court at Alipore from the District Judge.

The learned Civil Judge (Senior Division), 8th Court at Alipore is directed to see that the records of Title Execution Case No. 17 of 1984 is reconstructed and the permission, if any, has to be sought for from the concerned authority in the meantime. The reconstruction of records shall have to be completed as expeditiously as positively but positively on or before April 17, 2025.

The learned Civil Judge (Senior Division), 8th Court at Alipore is requested to dispose of the Execution Case No. 17 of 1984 as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

With the above observations and directions, C.O. 858 of 2025 stands disposed of.

No order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)