

29-04-2025
Item no.15
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Civil Revisional Jurisdiction

CO No.1339 of 2025
M/s Elora Construction
-vs-
Juthika Dey & Ors.

Mr. Kamalesh Chandra Saha
Ms Payel Mitra
Mr. Samannaya Saha
Mr. Mishuk Saha ...for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the award holder praying for a direction upon the Civil Judge (Senior Division), 1st Court at Barasat to dispose of M. Execution Case No.141 of 2014 expeditiously.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of any notice upon the opposite party. However, learned counsel for the petitioner shall be obliged to forward a copy of the Article 227 application along with this order upon the opposite party or upon the learned counsel representing the opposite party before the learned executing court.

Learned counsel representing the petitioner submits that the execution case has been pending since the year 2014 and that the judgment-debtor is delaying the execution case.

From the order sheet appended to the application, this court finds that by an order dated February 15, 2025 the learned executing court fixed November 15, 2025 for acceptance of show cause petition of the judgment-debtor and for taking steps by the decree-holder.

In view of the fact that November 15, 2025 has been fixed for acceptance of the show cause and for taking steps by the decree-holder, CO No.1339 of 2025 stands disposed of by requesting the learned Civil Judge (Senior Division), 1st Court at Barasat to take up the matter for hearing on the acceptance of the show cause filed by the judgment-debtor on the next date fixed by the learned trial judge (November 15, 2025).

In the event steps are taken by the decree-holder as directed by the order dated February 15, 2025, learned executing court shall make an endeavour to dispose of the execution case as expeditiously as possible without granting any unnecessary adjournments to either of the parties.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Hiranmay Bhattacharyya, J]

