

D/L- 16
02/05/2025
Ct. No.-6
Aritra

C.O. 1519 of 2025

Amit Shaw
Vs.
Sri Santanu Ghosh & Ors.

Mr. Sounak Mandal

....for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the decree holder and is directed against an order being No.15 dated March 11, 2025 passed by the the learned Civil Judge (Jr. Div.), 1st Court, Barrackpore in Title Execution Case No.9 of 2023.

The principal grievance of the petitioner is that the further proceedings of the execution case was stayed without imposing any condition for grant of stay. On a query of the Court, Mr. Mandal, learned advocate appearing for the petitioner, in his usual fairness, submits that no objection to the stay application was filed. He further submits that no application praying for occupation charges was also filed.

In the light of the said submissions made by the learned advocate for the petitioner CO 1519 of 2025 stands disposed of by giving liberty to the petitioner to file appropriate application before the learned Executing Court in accordance with law. If such an application is filed the learned Executing Court is requested to

consider the same and pass an order in accordance with law after giving an opportunity of hearing to the respective parties and by passing a reasoned order.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)