

22-05-2025
Item no.26
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Civil Revisional Jurisdiction

CO No.1806 of 2025
Rustam Ahamed Shek alias RustamAli Sekh
-vs-
Sisir Kar & Ors.

Mr. Partha Pratim Roy
Mr. Samrat Chakraborty ...for the petitioner

This application under Article 227 of the Constitution is at the instance of defendant no.1 and is directed against an order dated November 25, 2024 passed by the learned Civil Judge (Senior Division), 2nd Court at Krishnanagar, Nadia in Title Suit No.526of 2003.

Mr Roy, learned counsel for the petitioner, submits that the learned judge of the executing court directed the decree-holder to submit a draft of the sale deed which is to be executed as per the provisions of Order XXI Rule 34 CPC. Mr Roy further submits that by the judgement and decree dated June 29, 2012 passed in Title Suit No.26 of 2003, the defendants no.1, 2(a), 2(b) and 5 were directed to execute and register the sale deed in respect of their shares in the suit proerty within the time-limit prescribed in the said decree. Mr Roy further submits that the decree-holder is seeking transfer of the entire suit property by way of execution.

However, after going through the order impugned, this court finds that the decree-holder was only directed to submit the draft of the sale deed. A date was fixed for such purpose.

After going through the impugned order, this court

does not find that any order has been passed by the executing court de hors the decree as only the decree-holder was directed to submit a draft copy of the deed.

In view thereof, this court is not inclined to interfere with the impugned order.

Accordingly CO No.1806 of 2025 stands disposed of.

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]