

Court No. 6
(265719)

18.06.2025
(AD 7)
(S. Banerjee)

CO 1893 of 2025

Nirmal Kumar Kothari
Vs.
State of West Bengal & Anr.

Mr. Sukanta Chakraborty
Mr. Anindya Halder

...for the petitioner

Mr. Rajarshi Basu

...for the opposite party no. 1

Affidavit of service filed in Court today, is taken
on record.

Learned advocate appearing for the State
submits that this is an application praying for
expeditious hearing of the withdrawal application.

Mr. Chakraborty, learned advocate appearing
for the petitioner submits that there has been
unnecessary delay in disposal of the application for
withdrawal of the decretal amount in LA Execution
Case No. 95 of 2018 pending before the learned
Additional 5th Special LA Judge (4th Additional District
Judge), Alipore, South 24 Parganas.

By drawing the attention of the court to the
various orders Mr. Chakraborty submits that
repeated dates were fixed for clarification regarding

the assignee and the assignor. He submits that the next date has been fixed in the execution case on August 25, 2025.

Mr. Chakraborty submits that the issue with regard to whether the assignee or the assignor is entitled to the decretal amount has already been decided and it is only the withdrawal application which is pending.

In the light of the submission made by Mr. Chakraborty, learned advocate appearing for the petitioner, liberty is granted to the petitioner to produce the material records/documents before the learned Judge in support of his contention that the issue with regard to assignee or assignor has already been clarified at an earlier stage.

The learned executing court is directed to dispose of the application for withdrawal of the decretal amount within a period of eight weeks from the next date fixed without granting any unnecessary adjournments to either of the parties.

The learned executing court is further directed to take note of the order no. 6 dated June 24, 2019 passed in LA Execution Case No. 95 of 2018.

(Hiranmay Bhattacharyya, J.)