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**31.07.
2025**

Ct. No. 06

Ab

CO 2011 of 2025

**Lalta Prasad Jaiswal
Vs.**

Atanu Banerjee and others.

Mr. Shiba Prasad Bhattacharya.

... for the petitioner.

1. This application under Article 227 of the Constitution of India is at the instance of the judgment debtor and is directed against an order dated 17th April 2025 passed by the learned Civil Judge (Junior Division) Additional Court at Sealdah, South 24-Parganas in Misc. Case No. 31 of 2025 arising out of Title Execution Case No. 6 of 2025. By the order impugned the prayer for stay was refused.
2. After going through the materials on record, this Court finds that the decree holder/opposite party herein filed Title Suit No. 42 of 2001, which was decreed on contest on 26th February 2004,
3. Being aggrieved by such judgment and decree, the petitioner herein preferred a Title Appeal being no. 2 of 2006, which was heard on 13th September 2017 and the judgment and decree was set aside. The opposite party preferred a second appeal, which was allowed thereby affirming the judgment and decree passed by the learned Trial Judge. The said decree was put into execution giving rise to Title Execution Case No. 6 of 2025.
4. Learned Advocate appearing on behalf of the petitioner submits that a review application is pending before this Hon'ble Court and for such reason, the execution case is to be stayed.
5. Mere pendency of a review application cannot be a ground to stay the further proceedings of the execution case.

6. This Court does not find any infirmity in the order impugned refusing to pass any order of stay.
7. The instant revisional application being CO 2011 of 2025 stands dismissed.
8. There shall, however, be no order as to costs.

(Hiranmay Bhattacharyya, J.)