

Court No. 6
(265719)

09.07.2025
(AD 7)
(S. Banerjee)

CO 2245 of 2025

Uma Barui
Vs.
Chandrika Prasad Kohar

Ms. Subhangi Bhattacharya
Ms. Adrisnata Chakraborty

...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 dated April 23, 2025 passed by the learned Civil Judge (Jr. Division), 1st Court at Barrackpore in Miscellaneous Case No. 3 of 2024 arising out of Title Execution No. 34 of 2012.

By the order impugned the further proceeding of execution case was stayed on the ground that the judgment-debtor/opposite party herein has filed a miscellaneous case under Section 47 of the Civil Procedure Code.

This court is of the considered view that the interest of justice would be sub-served if the miscellaneous case is directed to be disposed of expeditiously.

Learned advocate appearing for the petitioner submits that the written objection to the miscellaneous case has already been filed and the same is otherwise ready for hearing.

In the light of the submission made by the learned advocate appearing for the petitioner, CO 2245 of 2025 stands disposed of by requesting the learned Civil Judge (Jr. Division), 1st Court at Barrackpore to take up the hearing of Misc. Case No. 3 of 2024 on the next date fixed, i.e., on August 18, 2025, if the same is otherwise ready for hearing and to make an endeavour to dispose of the same as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

The learned advocate-on-record of the petitioner is directed to forward a copy of this application along with a copy of this order upon the opposite parties or the learned advocate appearing for the opposite parties before the learned executing court.

(Hiranmay Bhattacharyya, J.)