

D/L. 7.
February 7, 2025.
MNS.

C. O. No. 2357 of 2024

Smt. Ganga Bohra
Vs.
Sri Sourav Roy and others

Mr. Tanmoy Mukherjee,
Ms. Praniti Bandopadhyay,
Mr. Souvik Das,
Mr. K. R. Ahmed,
Mr. Rudranil Das

... for the opposite parties.

1. None appears for the petitioner at the time of call.
2. Learned counsel for the opposite parties submits that the present revision has become infructuous since the same has been preferred against an order refusing grant of stay at the behest of an applicant in an application under Order XXI Rules 99 to 101 of the Code of Civil Procedure (in short “the Code”) and the proceeding under Order XXI Rules 99 to 101 of the Code has itself been dismissed subsequently; as such, there is no scope of grant of stay, which renders the present revision infructuous.
3. It is further submitted by learned counsel for the opposite parties that the execution

case is being stalled indefinitely. Initially the matter went up to the Supreme Court, where an undertaking was given by the judgment-debtor to leave the suit premises subject to filing of an undertaking which was, however, never filed.

4. Accordingly, an expeditious hearing of the execution case pending before the Executing Court is prayed for.

5. In the light of the discussions above, C. O. No. 2357 of 2024 is dismissed as infructuous without any order as to costs.

6. The Executing Court is requested to expedite the hearing of the execution case as far as possible and positively to conclude the same within three months from the date of communication of this order to the Executing Court.

(Sabyasachi Bhattacharyya, J.)