

Item-32. 10-03-2025

sg Ct. 236

CO 2793 of 2024

Malati Dasgupta
Versus
Mrinmoy Dasgupta & Ors.

Mr. Satyam Mukherjee
Mr. Sayani Ahmed
Mr. Purnendu Shekhar Ghosh
Mr. Saibal Rakshit

...for the petitioner

1. The learned Advocate for the petitioner is present.

None appears for the opposite parties in spite of service of notice.

2. As this application under Article 227 of the Constitution of India is with regard to long pendency of the Execution Case No. 15 of 2012 before the learned Civil Judge, Junior Division, First Court at Barasat, North 24 Parganas, this Court is of the view that although the opposite parties have not appeared in spite of service of notice, there should not be any further adjournment to this application.

3. It is the contention of the petitioner that pursuant to the decree being passed by the learned Trial Court, an execution case was filed before the said Learned Court being Title Execution Case No. 15 of 2012 and the cost for police help has already been deposited. Thus, there is no reasonable ground as to why this execution process cannot be carried out till date.

4. The learned Advocate for the petitioner has placed an order of the learned Executing Court dated 19-08-2024 where a report is submitted by the police authority that one Executive Magistrate is required as there may be law and order problem.

But on the basis of the police report no final decision is taken by the learned Executing Court and the matter is pending till today.

5. In the facts and circumstances, this application is disposed with a request upon the learned Trial Judge to dispose the Title Execution Case No. 15 of 2012 and to take all necessary decision on the basis of the report submitted by the police authority within one month from the date of communication of this order.

6. This revisional application stands disposed of with the above observation.

7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Biswaroop Chowdhury, J.)