

Sl.15
02.09.2025
Court No.6
BP

C.O. 3171 of 2025

Smt. Anju Dutta
-versus-
Syed Firojuddin

Mr. Debasis Mitra
Ms. Priya Chakraborty
Mr. Subhajyoti Sain
... for the petitioner

This application under Article 227 of the Constitution of India is at the instance of the decree holder praying for a direction upon the learned District Consumer Dispute Redressal Commission at Kolkata Unit-II (Central) to dispose of the Execution Application No. 36 of 2020 arising out of CC No. 259 of 2017 expeditiously.

The learned advocate appearing for the petitioner submits that the execution case is pending from the year 2020. He places reliance upon a decision of the Hon'ble Supreme Court in the case of Rahul S. Shah Vs. Jinendra Kumar Gandhi & Ors. reported at (2021) 6 SCC 418 in support of his contention that the execution proceedings are to be disposed of within six months.

In view of the order sought and proposed to be passed, there is no necessity to issue notice upon the opposite party. However, the learned advocate appearing for the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite party

or upon the learned advocates representing the opposite party before the learned District Commission.

The Hon'ble Supreme Court in Rahul S. Shah (supra) in paragraph 42 of the said reports observed that all Courts dealing with suits and execution proceedings shall mandatorily dispose of the execution proceedings within six months from the date of filing which may be extended only by recording reasons in writing for such delay.

In view thereof, C.O. 3171 of 2025 stands disposed of by directing the District Consumer Dispute Redressal Commission at Kolkata Unit-II (Central) to dispose of the Execution Application No. 36 of 2020 in the light of the directions passed by the Hon'ble Supreme Court in Rahul S. Shah (supra) without granting any unnecessary adjournments to either of the parties.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)