

A-1736
17.04.2025
Court No.6
BP

C.O. 3002 of 2024

Subhadip Dhar & Ors.
-versus-
Sri Shivaji Jana & Ors.

Mr. Rajdeep Bhattacharya
Mr. Shahnawaz Alam
..for the petitioners

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 Civil Judge, (Senior Division) at Sealdah to dispose of the Title Execution Case No. 20 of 2023 expeditiously.

Learned advocate appearing for the petitioners submits that in the meantime a third party has filed an application under Order 21 Rule 97, 99, 101 of the Code of Civil Procedure being Misc Case No. 20 of 2023. He submits that the said miscellaneous case is otherwise ready for hearing. He prays that a direction be passed upon the learned Executing Court to dispose of the miscellaneous case expeditiously.

In view of the order sought and proposed to be passed, there is no necessity to issue notice upon the opposite parties. 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 parties or upon the learned advocate representing the petitioners in Misc. Case No. 20 of 2023.

In the light of the submission made by the learned advocate for the petitioner, C.O. 3002 of 2024 is disposed of by requesting the learned learned Civil Judge, (Senior Division) at Sealdah to dispose of the Miscellaneous Case No. 20 of 2023 filed in Title Execution Case No. 20, 2023 as expeditiously as possible without granting any unnecessary adjournments to either of the parties. After disposal of the miscellaneous case the learned Executing Court shall make an endeavour to see that the title execution case is disposed of expeditiously.

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.)