

D/L- 28
17/09/2025
Ct. No.-6
Aritra

C.O. 3440 of 2025

**Sri Gyanananda Mondal & Ors.
Vs.
Idrish Alam & Anr.**

Ms. Poulami Chakraborty

....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 (Jr. Div.) Islampur, District-Uttar Dinajpur to dispose of the Title Execution Case No.10 of 2018 expeditiously.

The learned advocate appearing for the petitioner submits that the Miscellaneous Case No.12 of 2023 filed by the opposite party under Section 47 of the Code of Civil Procedure is still pending.

In view of the order sought and proposed to be passed this Court feels that there is no necessity to direct issuance of any notice upon the opposite parties. However, the learned advocate for the petitioner shall be obliged to forward a copy of this application along with this order upon the opposite parties or the learned advocates representing the opposite parties before the learned trial judge.

From the order sheets appended to this application this Court finds that repeated dates have been fixed for awaiting order of the miscellaneous case.

The learned advocate for the petitioner submits that the miscellaneous case is otherwise ready for hearing and October 27, 2025 is the date fixed for hearing for the miscellaneous case.

In the light of the submission made by the learned advocate for the petitioner, CO 3440 of 2025 stands disposed of by requesting the learned Civil Judge (Jr. Div.) Islampur, District-Uttar Dinajpur to take up the hearing of the Miscellaneous Case No.12 of 2023 on the next date fixed i.e. on October 27, 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 adjournments to either of the parties. After disposal of the miscellaneous case and/or any other miscellaneous cases that may be pending the learned Judge of the Executing Court shall make an endeavour to dispose of the execution case expeditiously.

There will be no order as to costs.

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

(Hiranmay Bhattacharyya, J.)