

D/L- 43
16/09/2025
Ct. No.-6
Aritra

C.O. 3448 of 2025

**Smt. Aditi Mondal & Anr.
Vs.
Sri Amit Chatterjee & Anr.**

Mr. Swapan Kr. Pal

....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 Judge, 2nd Bench, Presidency Small Causes Court at Calcutta to dispose of the Ejectment Execution Case No.94 of 2024 expeditiously.

The learned advocate appearing for the petitioner submits that the judgment-debtor filed an application under Section 151 of the Code of Civil Procedure which 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 September 15, 2025 was fixed for

hearing of the application filed by the judgment-debtor under Section 151 of the Code of Civil Procedure.

The learned advocate appearing for the petitioner submits that on September 15, 2025 the said application was not taken up for hearing and the next date has been fixed on December 1, 2025.

In the light of the submission made by the learned advocate for the petitioner, CO 3448 of 2025 stands disposed of by requesting the learned Judge, 2nd Bench, Presidency Small Causes Court at Calcutta to take up the hearing of the application under Section 151 of the Code of Civil Procedure filed by the judgment-debtor, on the next date fixed, 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.

The learned Judge of the Executing Court is requested to dispose of the Ejectment Execution Case No.94 of 2024 expeditiously in accordance with law.

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.)