

02.04.2026

Sl. No.: 73

Court No.6

BM

C.O. 524 of 2026

BISWA SEKHAR MONDAL

VS

PRADIP KUMAR SAHA AND ORS.

Mr. Ambu Bindu Chakraborty

... for the petitioner

1. This revisional application seeks expeditious disposal of Misc. Case No.160 of 2024 arising out of Title Execution Case No.93 of 2019 pending before the learned Civil Judge (Junior Division), First Court at Alipore, South 24 Parganas.

2. Learned advocate appearing for the petitioner submits that the petitioner had instituted Title Suit No.526 of 1960 for eviction of the opposite party. He submits that such suit was decreed and the decree remains undisturbed until the stage of second appeal before this court.

3. It is submitted that an execution case was filed thereafter for execution of the decree being Title Execution Case No.93 of 2019 and the same has been pending since then.

4. He further submits that the opposite parties have filed an application under Order 21 Rule 97 to 101 of the Code of Civil Procedure, 1908 resisting the decree which has been registered as Misc. Case No.160 of 2024

and in the said Misc. Case an order of stay of Title Execution case No.93 of 2019 have been passed.

5. Having regard to the nature of the order proposed to be passed no direction for prior service of a copy of the revisional application along with notice on the opposite party is being made, however, the petitioner shall remain obliged to serve a copy of the revisional application along with order on the opposite party within a week from date.

6. Having heard the learned advocate appearing for the petitioner and having considered the materials on record, this revisional application is disposed of by requesting the learned Civil Judge, Junior Division, 1st Court, Alipore, South 24 Parganas to dispose of the Misc. Case No.160 of 2024 as expeditiously as possible and preferably within a period of three months from the next date fixed without granting any unnecessary adjournment to either of the parties and thereafter the learned executing court shall endeavour to dispose of the Title Execution Case No.93 of 2019 as expeditiously as possible keeping in mind the mandate of the Hon'ble Supreme Court in the case of Periyammal(dead) through LRS & Ors. -vs- V. Rajamani & Ors., reported at (2025) 9 SCC 568.

7. C.O. 524 of 2026 stands disposed of with the above observation. No costs.

(Om Narayan Rai, J.)