

18.03.2026
Item No.37 (DL)
Court No.06
AJ.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 910 of 2026

**Debprasad Mandal
-Vs-
Lipika Das & Ors.**

Mr. Shibasis Chatterjee.
....for the petitioner.

1. This revisional application seeks expeditious disposal of Title Execution Case No.10 of 2024 pending before the learned Civil Judge (Junior Division), Additional Court, Lalbagh, Murshidabad.

2. Learned Advocate appearing for the petitioner submits that the petitioner had instituted Eviction Suit No. 277 of 2015 for eviction of the opposite party which was decreed on April 29, 2024. Such decree has been put into execution by filing Title Execution Case No. 10 of 2024. It is submitted that the said Title Execution Case is still pending despite there being no order of stay from any higher forum.

3. Learned Advocate appearing for the petitioner further submits that the decree was carried in appeal before the Appellate Court by filing Title Appeal No. 55 of 2024. The same was dismissed by an order dated March 28, 2025. The opposite parties have preferred a second appeal before this Court being SAT 87 of 2025. It is submitted that the said second appeal has not yet been admitted and as such there is no order of stay of the execution case.

4. In view of the nature of the order proposed to be passed by this Court, direction for prior service of notice along with a copy of the revisional application on the opposite parties is not being made, however, the petitioner shall remain obliged to serve a copy of the revisional application along with a copy of this order upon the opposite parties within a week from date.

5. Having heard the learned Advocate appearing for the petitioner and having perused the material-on-record, this revisional application is disposed of by requesting the learned Civil Judge (Junior Division), Additional Court, Lalbagh, Murshidabad to dispose of Title Execution Case No. 10 of 2024 expeditiously keeping into view the mandate of the Hon'ble Supreme Court in the case of ***Periyammal (Dead) through LRS & Ors. -Vs.- V. Rajamani & Anr.*** reported at ***(2025) 9 SCC 568*** unless there is an order of stay passed by any superior forum thereby staying the execution case.

6. C.O. 910 of 2026 stands disposed of with the aforesaid observations. No costs.

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

(Om Narayan Rai, J.)