

25.03.2026
Item No.21 (DL)
Court No.06
AJ.

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

C.O. 1020 of 2026

**Smt. Durga Chatterjee
-Vs-
Smt. Mousumi Chatterjee & Ors.**

Mr. Asit Kumar Bhattacharya.
.....for the petitioner.

1. This revisional application seeks expeditious disposal of an application praying for vacating of an order of stay passed by the learned District Judge-in-Charge, Alipore, South 24-Parganas in Ejectment Appeal No. 55 of 2024. The said Ejectment Appeal No. 55 of 2024 is now pending before the learned Additional District and Sessions Judge, Fast Track 6th Court, Alipore, South 24-Parganas.

2. Learned Advocate appearing for the petitioner submits that Ejectment Appeal No. 55 of 2024 has been preferred against a judgment and decree of eviction passed in Ejectment Suit No. 208 of 2017 by the learned Civil Judge (Junior Division), 4th Court at Alipore.

3. On March 27, 2025, the learned District Judge-in-Charge admitted the said appeal and passed a conditional order of stay clarifying that the opposite parties shall be paying a sum of Rs.8,000/- per month starting from the date of

passing of the judgment and decree dated September 07, 2024 and the same was directed to be paid within the 10th day of each succeeding English calendar month. It was clarified that in the event of default in payment of such occupation charge, the stay granted would automatically stand vacated.

4. It is next submitted by the learned Advocate appearing for the petitioner that the opposite parties have defaulted in payment of such occupation charges and as such, the petitioner has filed an application seeking vacation of the order of stay which has been kept pending since May 20, 2025.

5. 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.

6. 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 Additional District Judge and Sessions Judge, Fast Track 6th Court, Alipore, South 24-Parganas to dispose of the

application dated May 20, 2025 seeking vacation of the interim order dated March 27, 2025 as expeditiously as possible and preferably on the next date fixed without granting any unnecessary adjournment to either of the parties.

7. With the above observations, C.O. 1020 of 2026 stands disposed of. No costs.

8. 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.)