

25.03.2026  
Ct. No. 30  
SL No. **03**  
MKP

**CO 4111 of 2024**  
**With**  
**CAN 1 of 2025**

**Mamina Khatoon And Ors.**  
**Vs.**  
**Md. Awez Khadim And Ors.**

Mr. Bidhayak Lahiri  
Ms. Bhaswati Lahiri  
Mr. Pradip Kumar Ghosh

.....for the Petitioner

Ms. Pinaki Ranjan Mitra  
Ms. Gargi Acharyya

.....for the Opposite party nos.1 & 2.

- 1.** The civil revision along with CAN application is taken up for hearing.
- 2.** The revisional application has been preferred challenging an order dated 13.11.2024, passed in Misc.Case No.151 of 2023 arising out of Ejectment Execution Case No.91 of 2023, in the Court of the Learned 6<sup>th</sup> Judge, Presidency Small Causes Court.
- 3.** Vide the impugned order, the Trial Court allowed an application under Section 151 CPC by which the plaintiff/opposite party, prayed for police help.

4. It appears from the impugned orders that the Court was also aware of the compromise decree in the suit.
5. The Court recorded the formal objection of the opposite party/petitioner herein, which the petitioner submits that they have strong objection to the execution of the said decree, for which order for police help has been passed and the Trial Court has wrongly recorded that it is only a formal objection.
6. The Learned Counsel for the opposite party submits that the execution case before the Trial Court may proceed and **they undertake not to execute the said decree against the petitioners herein, and the said fact has been stated by way of the CAN application.**
7. Accordingly, the Civil Revision stands disposed of with liberty granted to the parties herein, to approach the Trial Court, in the execution case, as per the undertaking given by the Learned Counsels before this Court. The Trial Court to proceed in accordance with law.
8. The civil revision stands **disposed of.**
9. Applications, if any, connected thereto stand disposed of consequently.

**10.** Interim order, if any, stands vacated.

**11.** Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

**[Shampa Dutt (Paul). J]**