

18.02.2026
Item No.42
BR

CO 3952 of 2022
Ashok Kumar Shaw @ Ashok Shaw
-vs-

Smt. Biva Dutta Roy and Ors.

Mr. Sudip Deb,
Mr. S. Chakraborty,
Ms. B. Pramanick

... for the respondent

1. The revisional application has been preferred order dated 28th November, 2022 passed by the learned Civil Judge (Senior Division), 3rd Court , Barasat , in Arbitration Execution No. 184 of 2022 (Biva Dutta Roy -vs- Ashok Kumar Shaw) thereby restraining the petitioner herein from transferring or charging the property specified in the schedule to the execution petition, by way of sale, gift or otherwise , and also restraining anyone else from receiving the said property by way of purchase, gift or otherwise.

2. It appears that the petitioner herein is not appearing in the present case in spite of several opportunities being granted.

3. Learned counsel appearing for the opposite party/decreed holder has placed the order of the Division Bench passed in FMA 1390 of 2022 dated 24.12.2025 wherein the Hon'ble Division bench **held as follows :**

4. It is submitted by the learned counsel for the petitioner that the execution proceedings is pending last five years and prays for expeditious disposal of the execution proceedings.

5. Learned counsel relies upon the judgment of the Hon'ble Supreme Court in **Chopra Fabricators and manufacturers Pvt. Ltd. -vs- Bharat Pumps and Compressors Ltd. And another , reported in (2023) 3 SCC 534.**

6. Considering the conduct of the petitioner the civil revision stands dismissed for default.

7. The executing Court is directed to proceed expeditiously with the execution case preferably within a period of 3 months from the date of this order.

7. Connected application, if any, stands disposed of.

8. Interim order, if any, stands vacated.

9.Urgent Photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

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(Shampa Dutt (Paul), J.)