

24.3.2026
Item no. 39
Court no. 30
g.b.
266012

CO 4256 of 2024

Sujoy Bosu
Vs.
Archita Bosu

Mr. Kaustav Banerjee
Ms. Ria Kundu
..... For the Petitioner

1. Affidavit of service filed be kept with the record.
2. The revisional application has been preferred against order no. 36 dated 31.05.2023 passed by the learned Additional District and Sessions Judge, Fast Track 4th Court, Barasat, North 24 Parganas in Matrimonial Execution Case No. 01 of 2019 (arising out of Matrimonial Suit No. 15 of 2016).
3. Vide the impugned order, the learned trial court has been pleased to drop the Mat Execution Case no. 5/2023::1/2019 in full satisfaction.
4. It is submitted by the learned counsel for the petitioner that the said execution proceeding and attachment was done as per the order passed by the learned Additional District and Sessions Judge, Fast Track 4th Court, Barasat, North 24 Parganas dated 26.03.2021 passed in Mat Execution Case 1/2019. It is submitted that though the Mat Execution Case was dropped in

full satisfaction, the property attachment vide order dated 26.03.2023 passed in Mat Execution Case 1 of 2019 has not been released.

5. It appears that the learned trial court has overlooked the said issue of passing a formal order of removing the order of attachment of the dwelling house of the judgement debtor.
6. Admittedly the petitioner herein has not approached the learned trial court praying for such relief.
7. Accordingly, the civil revision is disposed of with liberty granted to the petitioner herein to approach the court of Additional District and Sessions Judge, Fast Track 4th Court, Barasat, North 24 Parganas to pray for release of the said attachment, as prayed for in the revisional application and the said court and in the absence of the regular court, the court in charge shall consider the said application and pass a formal order of removing the order of attachment within 15 days from the date of said application being made without any delay.
8. **CO 4256 of 2024** stands disposed of.

(Shampa Dutt (Paul), J.)