

ALP/17/2025

IN THE HIGH COURT AT CALCUTTA
Extraordinary Original Civil Jurisdiction
ORIGINAL SIDE

SULTAN AHMED

-VERSUS-

MEHBOOB ALAM AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA DUTT (PAUL)

Date : 15th January, 2026.

Appearance:

Mr. Bratin Kumar Dey, Adv.

Ms. Anjana Banerjee, Adv.

Mr. Subhankar Banerjee, Adv.

...for the petitioner.

Mr. Samir Kumar Dhar, Adv.

Ms. Sweta Poddar, Adv.

...for the respondent nos.1 – 3.

The Court: Affidavit of service filed in Court today be taken on record.

The application has been preferred for transfer of Ejectment Case No.8 of 2016 along with Misc. Case No.38 of 2016 and Misc Case No.02 of 2017, both arising out of Ejectment Execution Case No.8 of 2016 pending before the Learned Civil Judge (Junior Division), 2nd Court at Sealdah (Mahaboob Alam & Ors. vs. Sultan Ahmed) to the High Court in its Extra-ordinary Original Jurisdiction.

Learned counsel for the petitioner submits that in spite of specific direction by the High Court on several occasions for expeditious disposal of the execution case, the same has not been completed till date.

Learned counsel appearing for the respondent submits that the matter has progressed and 17th January, 2026 has been fixed for hearing argument of the

opposite party in Misc Case No.38 of 2016. It is further submitted that the petitioner's argument in the said Misc Case is complete.

Considering the said facts, it is directed that the Trial Court shall positively hear the argument in Misc Case No.38 of 2016 on the date fixed without granting any adjournment to any of the parties. In case, the Court absents itself on the said date, the next date shall be fixed on 19th January, 2026 and the learned Executing Court shall continue hearing the Misc Case on day to day basis and make all endeavour to dispose of Misc Case No.38 of 2016 by 30th January, 2026 in accordance with law. The Executing Court shall then proceed to dispose of the Misc Case No.02 of 2017 and Execution Case also expeditiously preferably within two months thereafter.

Accordingly, ALP/17/2025 stands disposed of.

Let a copy of this order be sent to the Learned Civil Judge (Junior Division), 2nd Court at Sealdah.

(SHAMPA DUTT (PAUL), J.)