Court No. 6
(265719)

12.10.2026
(AD 22)

(S. Banerjee)

CO 3640 of 2026

Aloke Ballav Majumder & Ors.
Vs.
Dipak Chandra & Ors.

Ms. Papiya Chattopadhyay
...for the petitioners

On the prayer of the learned advocate appearing for the petitioners, leave is granted to the learned advocate-on-record of the petitioners to correct the typographical errors in the cause-title of the civil revision application insofar as the name of the opposite-party no. 1 is concerned.

This application under Article 227 of the Constitution of India is at the instance of the decree-holder praying for a direction upon the learned Civil Judge (Sr. Division), Balurghat, Dakshik Dinajpur to dispose of Title Execution No. 5 of 2016 expeditiously.

Learned advocate appearing for the petitioners submits that the opposite-parties filed a misc. case under the provisions of Order 21 Rules 97 to 101 of the Civil Procedure Code which is registered as Misc. Case No. 5 of 2024. She further submits that the said misc. case is pending before the learned executing court.

From the order-sheets appended to this application this Court finds that February 7, 2026 was fixed for filing of the written objection by the opposite-party nos. 1 to 5 in the said misc. case.

Learned advocate appearing for the petitioners submits that the said misc. case is still pending.

In view of the order sought and proposed to be passed, there is no necessity to direct issuance of any notice upon the opposite parties. However, the learned advocate-on-record of the petitioners shall be obliged to forward a copy of this application along with this order, upon the opposite parties or upon the learned advocate representing them before the learned executing court.

In the light of the submission made by the learned advocate appearing for the petitioners, this civil revision application stands disposed of by requesting the learned Civil Judge (Sr. Division), Balurghat, Dakshik Dinajpur to make an endeavour to dispose of the Misc. Case No. 5 of 2024 as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

After disposal of the said misc. case and any other misc. case that may be pending in connection with the execution proceeding, the learned Judge of the executing court shall make an endeavour to

dispose of Title Execution Case No. 5 of 2016 as expeditiously as possible without granting any unnecessary adjournment to either of the parties, keeping in mind that the execution case is pending from the year 2016.

(Hiranmay Bhattacharyya, J.)