

Misc. Appeal 18 of 2026
R.No. 01/2026
CNR WBBB09000013-2026

04
09.02.2026

The record is put up by a petition filed by Ld. Advocate for the Appellant/Jdr. along with another petition dated 09/02/2026 with a server copy of Order no. 391 dated 04.02.2026 passed by Ld. Civil Judge, (Jr.Divn), Dubrajpur, Birbhum in T.Ex case no. 17/1976 praying for hearing the pending stay application already filed in Misc. Appeal no. 18 of 2026.

Copy of both petitions served upon other side.

The said petition dated 09.02.26 filed by Ld. Advocate for Appellant/Jdr is taken up for consideration.

Heard Ld. Advocates for both sides. Considered.

Ld. Sr. Counsel for the Respondent/Dhr raised objections to such petition and submits in open Court that the writ issued by Ld. Civil Judge, (Jr.Divn), Dubrajpur, Birbhum has already been executed and possession has also been handed over to the Respondent/Dhr.

Ld. Sr. Counsel for the Appellant/Jdr. also admitted the submissions of Ld. Sr. Counsel for the Respondent/Dhr in open Court.

Perused the petition dated 09.02.26 along with the copy of order no. 391 dated 04.02.2026 of Ld. Civil Judge, (Jr.Divn), Dubrajpur, Birbhum passed in T.Ex case no. 17/1976.

It appears that on 04.02.2026 the writ for execution has already been issued by the Ld. Trial Judge with a returnable date fixed on 11.02.2026.

Considering the above facts and circumstances and the submissions of both sides, the petition dated 09.02.26 filed by Ld. Advocate for Appellant/Jdr is allowed on contest without cost.

Call for a report from Nazir, Nazareth Department, Civil Judge (Jr. Divn) Court, Dubrajpur, Birbhum regarding the status of the execution of the writ already issued on 04.02.2026 by Ld. Civil Judge, (Jr.Divn), Dubrajpur, Birbhum in T.Ex case no. 17/1976 to be filed positively by 12.02.2026 without fail.

Matter is fixed on **12.02.2026** for hearing the pending stay application already filed in Misc. Appeal no. 18 of 2026, W.O. if any by the other side in the meantime, report from Nazir, Nazareth Department, Civil Judge (Jr. Divn) Court, Dubrajpur, Birbhum and appearance.

Let a copy of this order be forwarded to Nazir, Nazareth Department, Civil Judge (Jr. Divn) Court, Dubrajpur, Birbhum for information and strict compliance.

D/c

ADJ Fast Track Court,
Dubrajpur, Birbhum

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Dubrajpur, Birbhum