

*MISC EXECUTION CASE NO- 69 OF 2022
CIS 69 OF 2022
Order No- 23 Dated 19.08.2024*

Today is fixed for payment of Rs. 35000/-.

Petitioner files Hazira.

Opposite Party files Hazira.

Ld. Counsels of both sides are present.

Ld. Counsel for the Opposite Party intends to make payment of Rs. 5000/-.

Petitioner refused to take the said amount.

Ld. Counsel for the Petitioner had on previous date filed a copy of the Order of the Hon'ble Calcutta High Court passed in WPA 653 of 2024 wherein the Hon'ble Calcutta High Court vide Order Dated 31.07.2024 had been pleased to observe:

"...At this stage, learned counsel for the respondent no.12 undertakes that his client shall pay the said sum of Rs.2,00,000/- , with out prejudice, within a period of three weeks from this date.

List this matter for hearing after three weeks.

Urgent Photostat certified copy of this order may be supplied to the parties expeditiously, if applied for."

Thus it can be deciphered that the Opposite Party is not willing to Honour the undertaking made before the Hon'ble Calcutta High Court. Further, the direction of the Hon'ble Calcutta High Court has not been complied with by the present Opposite Party.

Be that as it may be, as the matter is pending before the Hon'ble Calcutta High Court as can be deciphered from the Order of the Hon'ble Calcutta High Court, let the matter be fixed on 23.09.2024 for passing necessary Order as the Ld. Counsel for the Petitioner also filed a petition stating therein that he wants to bring the conduct of the Opposite Party before the Hon'ble Calcutta High Court with regard to non payments in different execution cases filed against the Opposite Party.

Fix 23.09.2024 for bringing Orders from the Hon'ble Calcutta High Court by the Petitioner.

Dictated and Corrected by Me:

*A.C.J.M.
2nd Court, Dinhata.*

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