

**M.Ex. No. 249 of 2019**  
**Present: Smt. Nilanjana Ghosh, Registrar, City Civil Court, Calcutta**  
**(WB01095)**

**Order No. 48 /Dt. 01.09.2025**

Today is fixed for further hearing.

Dhr files hazira.

Dhr files an affidavit stating that no order of stay has been granted by any court of law till date in respect of the instant execution case.

No step has been taken by Jdr.

Ld. Advocate for the Dhr submitted that after attachment the payment order was issued but subsequently Jdr appeared and dragged the matter without any reason. Ld. Advocate submitted that payment order was made by Bank Authority but the same was expired in the meantime for hearing of the application of Jdr. Ld. Advocate prayed for issuance of writ of attachment.

Perused the case record.

It appears from the affidavit submitted by Dhr that one Misc. Case being No. 49 of 2018 is pending before Ld. District Judge, South 24 Parganas. However, there is no order of stay. The award was passed on 12.08.2013. Thereafter, filed a Misc. Case being No. 06 of 2013 before Ld. Civil Judge (Senior Division) -I, Chaibasa but the same was disposed of on 09.03.2017 as the Ld. Court observed it had no jurisdiction. It appears that Dhr filed execution case on 01.04.2019. After long pendency of the case writ of attachment was issued on 21.03.2025. Bank Authority issued a payment order on 03.04.2025. Thereafter, Jdr appeared and filed WO. Again Jdr failed to appear in the instant case. Today Jdr is absent.

When there is no stay order, I am inclined to fix a date for issuance of writ of attachment.

Fix **18.11.2025** issuance of writ of attachment subject to filing of an affidavit regarding no stay.

Dictated and corrected by me.

Sd/-  
Registrar  
City Civil Court, Calcutta

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