

Misc Case 3602 of 2024

Present: Sri Subhash Kumar Kar, Judge, Bench-V (WB00592)

Order No.17/ Dated 15.05.2025

Parties have taken their respective steps.

Date is fixed for hearing of the Misc Case.

Opposite party files two applications along with fresh vakalatnama - one under Order XI Rule 26 of C.P.C for stay of the Misc Case pending adjudication of review application pending before Hon'ble Supreme Court of India and the other application seeking for adjournment of hearing of the Misc Case.

Heard both sides on the petition.

Admittedly, SLP filed by the opposite party has been dismissed by the Hon'ble Supreme Court and the judgement dated 14.11.2024 passed

by Hon'ble High Court in FAT no. 7 of 2024 confirming the order dated 02.12.2023 passed by this Court in T.S no. 1068 of 2021 has been upheld.

It is the plea of the opposite party that opposite party has preferred a review application before the Hon'ble Supreme Court vide Diary no. 25102/2025 and it is prayed to adjourn the Misc Case till the hearing of the review application.

Admittedly there is no stay of operation of the Order of Hon'ble Supreme Court dated 07.04.2025 passed in connection with the review petition presently pending before the Hon'ble Supreme Court.

However considering the fact that Ld. Advocate is recently engaged by the opposite party, the prayer is allowed for the ends of justice.

It appears from the record that written objection of the opposite party is already on record and the present Misc Case is ready for hearing in all respect.

It is made clear that no further time shall be allowed to them unless there is any order of stay of operation of order dated 07.04.2025 passed by the Hon'ble Supreme Court in connection with the said review application.

Fix 09.06.2025 for hearing of the Misc Case.

Three other petitions filed in connection with Title Execution case no. 33 of 2024 be kept with the record for disposal by the executing court.

D/c by me,

Judge.

Judge, Bench-V,
City Civil Court, Calcutta.