

EXECUTION CASE NO. 20 OF 2024[EX 635/1968]

(C.N.R NO. WBPS01-000070-2024)

Before: Smt. P. Shukla, Ld. Judge, 2nd Bench,
Judge-in-Charge, 5th Bench.

Order No.19

Dated 23.03.2026

Ld. P.O. is on leave on duty.

Today is fixed for hearing of the petition u/o 22 rule 4A of C.P.C.

Decree holder files hazira.

Ld. Advocate for the decree holder is present.

Heard Ld. Advocate for the decree holder.

The record is taken up for hearing of the petition u/o 22 rule 4A of C.P.C. filed by the decree holder dated 20.02.2026.

Decree holder has stated in the petition that one Madal Lal Roy had been contesting the instant proceeding on demise of the judgment debtor. The said Madan Lal Roy obstructed the execution of the decree and accordingly decree holder has filed Misc case being no. 203 of 2025 praying for police help. Unfortunately the said obstructor/ resistor namely Madan Lal Roy passed away on 2nd February, 2026. He was unmarried and the petitioner could not gather about any surviving legal representative of the deceased Resistor. At present, the decretal property is under occupation of various trespassers. In these circumstances, decree holder has no other option but to apply for appointment of Administrator General, Govt. of West Bengal to represent the estate of the deceased Judgment debtor.

Considering the submission of the Ld. Advocate for the decree holder, petition and the materials available on record I am of the view that there no impediment to allow the instant petition.

Hence, it is

ORDERED

that the petition u/o 22 rule 4A of C.P.C. filed by the petitioner/decreeholder dated 20.02.2026 is hereby allowed.

Decree holder is directed to file amended copy of the execution petition/amended tabular sheet.

Issue notice upon the Administrator General, Govt. of West Bengal in both ways.

Requisites to be put in at once.

Fix 24.04.2026 for filing amended copy of the execution petition and awaiting S/R, A/D and appearance.

Dictated & corrected by me

Judge-in-charge,
[5th Bench]

Judge-in-charge,
[5th Bench]
(J.O.Code No. WB-01165)