

EJ. EXECUTION CASE NO. 60 OF 2024
C.N.R. NO. WBPS01-000247- 2024
Before Smt. A. Bhattacharya, Ld. Judge, 5th Bench.

ORDER NO. 13 DATED 07.10.2024

Petitioners/Decreeholders file hazira along with one Advocate's letter.

O.P./Jdr. has also filed hazira.

Today is fixed for hearing of the petition filed by the judgment debtors and evidence of P.W.2.

Ld.Advocate for the Petitioner/Decreeholders is present.

None moved for the O.P./Jdr. on repeated calls. It is now 12.20 P.M.

The record is taken up for evidence of P.W.2.

One Avijit Chowdhury, Seal Bailiff is present. He is examined in chief as P.W.2 in full and discharged.

At this stage, ld. Advocate for the petititoners/decreeholders submits that no furether evidence will be adduced on their behalf.

Accordingly, the evidence of the parties is closed.

Record is taken up for hearing of petition filed by the Dhr on 25.07.2024 under Rule 208 of the Civil Rules and Orders framed by the Hon'ble High Court at Calcutta wherein the Dhr contended that the bailiff went to the decreetal property for execution of the decree but was obstructed. The decree cannot be executed without police help. For this purpose assistance of one Sergeant, two A.S.I., two lady Lady A.S.I. and four male Constables are required.

Bailiff Avijit Chowdhury was examined as P.W.2 and he stated that the situation in the decreetal property is such that the decree cannot be executed without the help of local police.

Heard Ld. Advocate for the Dhr. Considered. I have gone through the report of bailiff. I think for execution of the decree police assistance is necessary. Hence, it is

ORDERED

that the petition dated 25.07.2024 be and the same is allowed but without costs.

Dealing Assistant of the concerned department for ascertaining the probable cost of deputing a police party consisting of one Sergeant, two A.S.I., two lady Lady A.S.I. and four male Constables for execution of decree.

Fix **19.11.2024** for report of Dealing Asstt. And further order.

Dictated and corrected by me,

JUDGE

JUDGE
[5TH BENCH]