

**Ejectment Execution No. 115 of 2024**  
**C.N.R No. WBPS01-000500-2024**

**Order No.05**

**Dated 06.01.2025 :**

Today is fixed for steps by the decree holder. The decree holder files attendance through its Ld. Advocate and also files an affidavit stating that there is no Order of stay passed by the any forum.

At this stage the decree holder files a petition for treating the application under Rule 208 of the Civil Rules and Orders, from which the Miscellaneous Case No.158 of 2024 has been germinated, as part and parcel of the instant execution proceeding.

Heard the Ld. Advocate for the decree holder. Perused the record.

Considered.

It appears from the record that the Court bailiff was resisted in the process of execution of the decree, for which the decree holder came up with a petition under Rule 208 of the Civil Rules and Orders. But inadvertently the said petition was registered as a Miscellaneous case. There is no provision under Rule 776 of the Civil Rules and Orders to treat any petition under Rule 208 of the C.R.O as miscellaneous civil cases. It was an inadvertent mistake which can be rectified. Apart from that the interest of the parties has not been hampered by registering the said petition as miscellaneous case.

Accordingly the prayer of the decree holder is allowed.

Let the petition under Rule 208 of the Civil Rules and Orders as a petition under the Ejectment Execution Proceeding no.115 of 2024.

Fix 01.02.2025 for hearing of the petition under Rule 208 of the C.R.O.

Typed, Corrected and Printed by me.

Judge, Bench-4  
PSCC, Calcutta  
J.O Code WB01174

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