

S. C. C. O.S. 04 of 2023
WBPS01-000425-2023
[Arising out of S.C.C. suit 149 of 2016]

Before: Smt. Sudipa Banerjee, Ld. Judge, 3rd Bench

Date: 10-08-2023

Today is fixed for hearing of the petition filed by the decree holder dt. 17.07.2023.

Decree holder files hazira and an affidavit of no stay order.

Instant petition dt. 17.07.2023 filed by the decree holder is taken up for consideration.

Heard Ld. Advocate for the decree holder. Perused the petition and materials on record.

Considered.

As per marginal note of the concerned passing clerk, no stay order has yet been received from any higher forum till today as per A.J. record.

On careful scrutiny of the case record, this Court is of the view that, there is no stay order, there is no impediment to proceed with the execution case.

Hence, the petition dt. 17.07.2023 filed by the decree holder is hereby allowed.

Let the warrant / writ of delivery of possession be issued as per law.

Fix **04-09-2023** for delivery of possession and **06-09-2023** for awaiting bailiff report.

Sudipa Banerjee
[J.O. Code: WB01148]
Judge, 3rd Bench
Presidency Small Cause Court,
Calcutta