

EXECUTION CASE NO. :- 03 OF 2022
(CNR No. WBPS01-000020-2022)
(JO CODE No. WB01229)

Order No. - 3
Dt. 06.04.2022

Today is fixed for verification and order.

Decree holder files a petition stating that the decree holder no. 1 namely Than Mal Bothra expired on 21.03.2022 and no other person has been appointed in place of him and as such prayed for expunge the name of the decree holder no. 1 from the cause title of the case.

Heard Ld. Advocate for the decree holder.

Considered.

Perused the petition and materials on record.

Considering the same, the prayer is allowed.

Let the name of decree holder no. 1 namely Than Mal Bothra be expunged on the execution petition.

D. A. is directed to correct it accordingly.

Decree holder is directed to copy its amended petition.

Decree holders file another petition under Section 151 of CPC stating that there is some error and defect in the schedule of the decree and that is not tally of the schedule of the plaint which is required to be rectified.

Heard Ld. Advocate for the decree holders.

Considered.

Perused the instant petition and materials on record.

Considering the same the prayer is allowed.

Let the decree be corrected as per schedule of the petition.

Department is directed to rectify the same and also directed to rectified the certified copy of the same.

Decree holders file a petition with affidavit stating that there is no order of stay before any Upper Forum and there is impediment for further proceeding of the execution case and hence prayed for passing necessary order for delivery of possession of the decreetal premises.

Heard Ld. Advocate for the decree holders.

Considered.

Perused the instant petition and materials on record.

Considering the same, it appears that the decree holder by swearing affidavit stated that there is no order of stay against the judgement and decree passed in Ejectment Suit No. 2823 of 2000 before any Upper Forum.

Accordingly, let the case record be fixed for delivery of possession.

Bailiff of this department is directed to deliver the possession of the decreetal property of the decree holder according to law.

To **26.04.2022** delivery of possession and **28.04.2022** for bailiff report.

D/C by me.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.

Sd/-

Judge, Bench - II,
P.S.C. Court, Calcutta.