

**Ejectment Execution No. 134 of 2023**  
**C.N.R No. WBPS01-000585-2023**

**Order No.16**

**Dated 08.08.2025 :**

Today is fixed for hearing of the petition dated 21.08.2024 under section-151 of the C.P.C filed by the judgment debtor. Both the parties file separate attendance through their respective Ld. Advocates.

Ld. Advocate for the judgment debtor submitted that the Order of stay upon the execution proceeding, granted by this Court has been set aside by the Hon'ble High Court, Calcutta.

As there is no Order of stay on the execution of the decree, this Court can proceed with this case.

The record is taken up for hearing.

Heard both sides. Perused the case record.

Considered.

It appears from the record that the decree holder as well as the Court bailiff have already been examined in full. But the judgment debtor did not cross examine them. In fact the prayer for time made on behalf of the judgment debtor on the date of examination of the decree holder, was rejected because in spite of receiving the copy of the petition under Rule-208 of the C.R.O, the judgment debtor did not file any written objection till 07.06.2024. Thereafter the judgment debtor remained absent on the next date of evidence. However, as the judgment debtor is willing to contest the application and already filed the written objection against the aforesaid petition, this Court thinks that he should be given a chance to cross examine PW-1 and PW-2.

Accordingly the petition under section-151 of the C.P.C filed by the judgment debtor is allowed.

PW-1 is directed to be present before the Court for facing the cross examination by the judgment debtor.

Fix 12-08-2025 for cross examination of PW-1.

Typed, Corrected and Printed by me.

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

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