

Misc Case 176 of 2025.  
[ u/s 24 of C.P Code ]  
[CNR WBPS01 000654 2025 ]  
Before Sri Biswarup Bandhyopadhyay-Ld Chief Judge-in-Charge.

02.  
03/11/2025.

Record is put up today before me along with an application for stay of the Execution proceedings pending before the Ld. Judge, 6<sup>th</sup> Bench Presidency Small Cause Court, Calcutta being no Ej Exe 100 of 2025.

Record reveals that the instant Misc Case has been filed u/s 24 of the Code of Civil Procedure on the grounds mentioned therein. Requisites have already put in by the petitioner. However, copy of the put up application or the stay application has not been served upon the other side.

Ld. Counsel appearing for the petitioner further submitted that another stay application seeking stay of the Execution proceedings is pending in a separate Misc Case being no 159 of 2025 filed u/o-9 Rule 13 of C.P Code pending before the Ld. Judge, 6<sup>th</sup> Bench, Presidency small Cause Court, Calcutta. Having regard to the circumstances, specially when it appears that another stay application is pending before the Court of Ld. Judge, 6<sup>th</sup> Bench , no interim order of stay can be granted by this Court without giving an opportunity of being heard to the other side.

Accordingly, petitioner is directed to serve copies of the stay application along with the application of the instant Misc Case filed u/s 24 of C.P.C being Misc Case 176 of 2025 upon the other sides.

Fix 10-11-2025 for hearing of the stay application in presence of the parties.

Petitioner is directed to file affidavit of service by the next date positively.

Dictated & Corrected by me:-

Ld Chief Judge-in-Charge.  
J.O. Code WB 01133