

EJ.EXECUTION CASE NO. 172 OF 2017  
C.N.R NO. WBPS01-000968-2017  
Before: Shir M.N.Ghosh, Ld.Judge, 2<sup>nd</sup> Bench and Judge-in-Charge, 5<sup>th</sup>  
Bench.

Order No.29  
26.09.2023

Ld.P.O has been transferred.

Today is fixed for awaiting record from ld.City Civil Court, Calcutta.

Both parties have filed haziras.

Received a letter under Memo No. 2139-C date 24.07.2023 from the Ld.City Civil Court, Calcutta along with copy of order no. 27 dated 20.12.2022 passed by the Ld.Chief Judge, City Civil, Calcutta regarding the Misc.Appeal No. 44 of 2019 arising out of Misc.Case No. 73 of 2018 and Ejectment Execution No. 172 of 2017 where in ld.Chief Judge, City Civil Court, Calcutta has been pleased to pass the following order that "I am not inclined to allow the Misc.Appeal preferred by the third party/ appellant as the appellant could not impress upon this Court of having any right at any point of time, nor that Dominion Enterpriser Pvt. Ltd. was the tenant of the plaintiff to accept its sister concern as their tenant.

Hence, it is

**ORDERED**

that the Misc.Case being no. 44 of 2019 is here by dismissed on Contest.

Let the skeleton record be tagged with the Execution Case.

On perusal of the record, it appears that the Ejectment Suit no. 248 of 2004 was tagged with the Ej.Execution case no. 172 of 2017.

Accordingly, the case record of the original Ej.Suit No. 248 of 2004 be detached from the instant Execution Case.

To 21.12.2023 for evidence in connection with the petition u/o 208 of C.R.O dated 14.03.2018.

Judge-in-Charge  
(5<sup>th</sup> Bench)  
(J.O.Code No. WB01229)

