

Order no 5 dated 04/12/25:

The record is put up before the Court on the basis of put up petition filed by the Decree Holder No.8.

Along with put up petition, Decree Holder No.8 files an affidavit stating that there is no stay order from any higher forum and prays to fix a date for delivery of possession on the ground as stated therein.

Hd. Ld . Advocate for the Decree Holder No.8.

Considered.

As per marginal note of passing clerk dated 04/11/25, there is no stay order from any higher forum till today as per AJ record though T.A 16/25 is pending in Appellate Court.

But as per documents filed by Decree Holder No.8 on 03/12/25, it appears that T.A 16/25 has been vacated vide Order No.15 date 01.12.2025.

Seen the marginal note of Passing clerk.

Perused the case record.

On careful scrutiny of the case record I am of the view that as there is no stay order from any higher forum, there is no impediment to proceed with the execution case.

As the stay order has been vacated the next date fixed shall be treated as the date of delivery of possession.

Let the writ of possession be issued accordingly as per law.

To 05/01/26 for delivery of possession and 08/01/26 for bailiff report.

D/C by me
(Judge, 4th Bench)

Judge
(WB 01174)