

CNR No: WBSP01-000230-2024

Present: Subhra Som Ghosal

J.O Code: WB00984

Misc Execution Case No: 01 of 2024

Order No. 03, dated: 17-05-2024.

The decree holder has been duly represented by filing hazira.

As stipulated by the previous order today is fixed for S/R & A.D.

The Ld. Advocate for the decree holder is also found to be present on call.

The Ld. Advocate for the Decree Holder has filed a printout of Track report downloaded from the indiapost.com along with fristy. Let it be kept with the case record.

The learned advocate for the Judgement Debtor filed a petition along with a copy of order passed by the Hon'ble High Court in CO/2816/2023 dated 16.04.2024 and submitted that the Hon'ble High Court has been pleased to grant stay of proceeding of this case.

Perused the solemn order passed by the Hon'ble High Court on 16.-04.2024 in CO No.2816/2023.

In view of direction passed by the Hon'ble High Court it has transpired before this Court that certain direction were passed by the Hon'ble High Court for compliance by the petitioner therein and if such conditions are complied with in that event the order dated 17.05.2023 as well as the Mat Suit being No.48 of 2017 shall remain stayed.

An undertaking petition to file vokalatnama by the next date has been filed on behalf of the Judgement Debtor.

Heard learned advocate for the Judgement Debtor. The learned Advocate for the Decree Holder in all his fairness submitted that till date the direction of the Hon'ble High Court has been complied with.

When indeed the respondent has ventilated that the Hon'ble High Court has been pleased to stay the Order dated 17.05.2023 which is the genesis of the Execution case and there is no allegation of non-compliance of the direction of the Hon'ble High Court, in that eventuality this court is of opinion that it will not be prudent to proceed with this case. Hence, the case be adjourned for today.

To 25-07-2024 for bringing further order from the Hon'ble High Court.

DA to note in Stay Register.

Typed to the dictation directly;
corrected on the system.

Sd/-Subhra Som Ghosal
Additional District and Sessions Judge,
01st Court, Alipore, South 24 parganas.

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