

## **Ejectment Appeal-4/2024**

6.9.2024

Today is fixed for hearing of the appeal.

Lawyers Hazira filed on behalf of both sides.

At this stage Ld. Advocate for appellant by filing a petition U.O.41. R.5 CPC submits that being aggrieved by and dissatisfied with the judgment and decree passed in Ejectment Suit No-113/18 the present appeal has been preferred. It is further submitted that the respondent/Dhrs filed an execution case bearing No. Ejectment Execution Case-5/24 before Ld. Trial Court and writ of delivery of possession in the aforesaid execution case has been issued by Ld. Trial Court and Court bailiff was directed to give the delivery of possession of the suit property on 13.9.24.

In the aforesaid facts & circumstances appellants by filing the instant petition prays for an order of stay of further proceeding of Ejectment Execution Case-5/24 pending before Ld. Trial Court.

Ld. Advocate for respondents is present who by filing a petition submits that copy of the said stay petition dtd 6.9.24 has been served upon him today and he intends to file a written objection against the stay petition and accordingly he prays for fixing a date of hearing of the stay petition.

Having considered the submission of both sides fix 19.11.24 for hearing of the stay petition dtd 6.9.24.

W.O,if any, in the mean time.

To avoid future complication, if any, and also for the sake of the suit property the further proceedings of the Ejectment Execution-5/24 is hereby stayed till next date.

D/corr by me,

4<sup>th</sup> ADJ, Alipore.

**(J.O.Code-WB00705).**