

19.03.2026
Item No.14 (DL)
Court No.06
AJ.

**IN THE HIGH COURT AT CALCUTTA
CIVIL REVISIONAL JURISDICTION**

C.O. 930 of 2026

**Abul Basar Khan
-Vs-**

(BDO), Magrahat-II Panchayat Samity at Magrahat

Mr. Sabyasachi Bhattacharya,
.....for the petitioner.

1. This revisional application seeks expeditious disposal of Misc Case No. 23 of 2022 pending before the learned Civil Judge (Junior Division), 2nd Court, Diamond Harbour, South 24-Parganas.

2. Learned Advocate appearing for the petitioner submits that the petitioner had filed a suit being Title Suit No. 218 of 2015 for declaration of title and injunction. The suit was decreed on February 20, 2020. The petitioner thereafter has put the decree into execution by filing Title Execution Case No. 11 of 2022. In the said Title Execution Case, the opposite party has filed an application under Section 47 of the Code of Civil Procedure, 1908 which has been registered as Misc. Case 23 of 2022. Such misc. case is continuing and by reason thereof, Title Execution Case of the petitioner is not being able to proceed.

3. In view of the nature of the order proposed to be passed by this Court, direction for prior

service of notice along with a copy of the revisional application on the opposite party is not being made, however, the petitioner shall remain obliged to serve a copy of the revisional application along with a copy of this order upon the opposite party within a week from date.

4. Having heard the learned Advocate appearing for the petitioner and having perused the material-on-record, this revisional application is disposed of by requesting the learned Civil Judge (Junior Division), 2nd Court at Diamond Harbour, 24-Parganas (South) to dispose of Misc. Case No. 23 of 2022 as expeditiously as possible and preferably within a period of two months from the next date fixed.

5. The learned Executing Court is also requested to expedite the hearing of the Title Execution Case No. 11 of 2020 and dispose of the same expeditiously keeping in view the mandate of the Hon'ble Supreme Court in the case of ***Periyammal (Dead) through LRS & Ors. -Vs- V. Rajamani & Anr.*** reported at ***(2025) 9 SCC 568.***

6. C.O. 930 of 2026 stands disposed of with the above observations. No costs.

5. Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Om Narayan Rai, J.)