

19.09.2025.
26
Ct.No.7.
as

C.O.3248 of 2025

Debapriya Ghosh
Vs.
Alok Kumar Mondal & Ors.

Mr. Puran Pal,
Mr. Srinjoy Das,
Ms. Mou Ghosh Sen.

...for the Petitioner.

Mr. Souradipta Banerjee,
Mr. Sandip Dey,
Mr. Rudranil Mitra,
Mr. Sayan Ganguly.

...for the Opp. Parties.

1. The present revisional application has been preferred challenging the order passed by the learned Judge, 2nd Bench, City Civil Court at Calcutta, in Title Execution Case No. 52 of 2024 arising out of Title Suit No. 1046 of 2018.

2. Mr. Das, learned Advocate appearing for the petitioner, referring to the operative part of the judgment and decree, submits that the suit was decreed on consent against defendant no. 1, subject to payment of the security deposit amount in her favour. He submits that the security amount has not been deposited by the plaintiff. Therefore, according to him, the decree is yet to mature for execution. He submits that, in view of this, the execution proceeding and all further proceedings in Title Execution No. 52 of 2024 be stayed.

3. The order impugned in the present revisional application indicates that this issue was raised by the petitioner before the learned Trial Court by filing an application under Section 47 of the Code of Civil Procedure. However, noting that the plaintiff had issued a bank draft in favour of defendant no. 1, and that the petitioner/judgment debtor expressed complete ignorance about the said bank draft, the court refused to accept the petitioner's contention. I am informed that the next date fixed in the Title Execution case is 10th November, 2025.

4. In view thereof, the petitioner is directed to serve a copy of this application, along with all annexures thereto, together with a notice upon the opposite parties, intimating that the matter shall be taken up for further consideration on 6th November, 2025.

5. List the matter accordingly.

(Partha Sarathi Chatterjee, J.)