

Item No. 12
02.01.2026
Court. No. 6
GB

C.O. 4210 of 2025

Smt. Paramita Biswas
Vs.
Smt. Mahua Dhar & Ors.

*Mr. Sounak Bhattacharyya,
Ms. Ahana C. Routh*

...for the Petitioner.

1. It appears that the learned court rejected an application for stay of the execution during the pendency of the application under Order 9 Rule 13 of the Code of Civil Procedure on the ground that the petitioner could not demonstrate before the court that an execution is pending. It appears from the application for stay that an execution case had been filed. The date for execution of the decree has been fixed on January 15, 2026 by the learned Judge, 9th Bench, City Civil Court at Calcutta.
2. Under such circumstances, there shall be an unconditional stay of Title Execution Case no.85 of 2025, which is pending before the learned Registrar, City Civil Court at Calcutta for a period of two weeks, provided the petitioners deposits a sum of Rs.15,000/- before the learned executing court within two weeks from date. If such deposit is made as directed herein above, the stay shall continue till March 31, 2026. The stay shall automatically stand vacated in the event the money is not deposited before the learned executing court.

3. Prima facie, it appears to this Court that the petitioner could have been put to terms for a limited stay on the execution case, otherwise the application under Order 9 Rule 13 of the Code of Civil Procedure will become infructuous.
4. Let this matter appear on February 11, 2026.
5. Petitioner is directed to serve a copy of this revisional application along with a copy of this order upon the opposite parties as also upon the learned advocate appearing on the behalf of the opposite parties in the learned trial court. Affidavit-of-service to be filed on the next date.

(Shampa Sarkar, J.)