

06.04.2022
S/L No.58
KS

W.P.A. 2936 of 2022

Sri Swapan Mondal
-Vs.-
The State of West Bengal & Ors.

Mr. Ratan Das

.....For the Petitioner

Mr. Santanu Mitra

Mr. Subhabrata Das

.....For the State

Mr. Sukanta Chakraborty

Mr. Anindya Halder

.....For the Respondent Nos.6 to 9

The petitioner submits that in respect of a certain land, they are enjoying a decree passed by the Learned 3rd Munsiff, Diamond Harbour in T.S. No.460 of 1986.

The petitioner submits that the decree has since been put in execution being Title Execution No.01 of 2022. This Court is of the view that the petitioner has effective remedy of execution under the provisions of Order 21 of the Code of Civil Procedure to seek remedy is against the violation of the said decree. The police have no role to play in the matter unless specifically directed by the Civil Court.

Since no affidavit has been called for, the allegations contained in the writ petition shall not be deemed to have been admitted by the respondents.

With the aforesaid directions, W.P.A. 2936 of 2022 is disposed of.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Rajasekhar Mantha, J.)