

S/L 48
6.6. 2022
Court. No. 19
Sn

WPA 4808 of 2022

Mariyum Bibi @ Khatun
Vs.
The State of West Bengal & Ors.

Mr. Chittyapriya Ghosh
Ms. Priyanka Saha
Mr. Komal Singh

... for the Petitioner

Despite service, none appears on behalf of the respondents. Service has been effected on the last two occasions.

The petitioner alleges inaction on the part of the Officer-in-Charge, Md.Bazar Police Station, in executing the warrant of arrest and the proclamation which was issued by the learned Judicial Magistrate, 4th Court at Durgapur, in Misc. Execution Case No. 18 of 2017 dated June 19, 2019.

It is the specific contention of the petitioner that the police authorities were intentionally not executing the warrant of arrest. Records reveal that by an order dated December 17, 2019, the petitioner was directed to submit fresh requisite on the date fixed positively and in default, no order would be passed. Thereafter, the petitioner failed to take steps. Allegedly, due to pandemic situation, the petitioner could not take steps. Records do not reveal whether the requisites had been deposited. The court finds that the writ

petition is premature. The learned court below may also be approached if the police authorities fail to comply with the direction of the court.

The petitioner is at liberty to approach the learned Judicial Magistrate, 4th Court at Durgapur for appropriate directions in this regard. This court has not gone into the merits of the matter.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)