

25.8.2022
Sl.No.197
sn

WPA 15330 of 2022

**Gobinda Chandra Dutta
Vs.
The State of West Bengal & Ors.**

**Mr. Sabyasachi Hazra
..for the petitioner**

**Mr. Robiul Islam
..for the State**

**Mr. Keshab Chandra Das
Mr. Biplab Adak ..for the respdts.4,5,7-11**

The petitioner prays for a direction upon the Officer-in-Charge, Dhaniakhali Police Station to assist the bailiff of the Court of the learned Civil Judge, Junior Division, 1st Court, Hooghly, for execution of a decree dated June 15, 2007, passed in Title Suit No. 156 of 1067.

The petitioner alleges that the respondent nos. 4 to 11/ judgement debtors obstructed the bailiff and did not allow the bailiff to put the decree into execution. The dispute is with regard to dag nos. 1805,1806,1807 and 1808 of mouza Parambua.

The petitioner filed a civil suit which was decreed in favour of the petitioner. Title Execution Case No. 05 of 2009 was filed. The bailiff was directed to execute the judgment and decree. It appears that some of the defendants went to the spot and resisted the bailiff. Accordingly, the bailiff filed a report before the learned Civil Court. Such report was filed some time in 2015. The complaint

does not state what further orders were passed by the learned executing Court upon receipt of the bailiff's report. In any event, on the basis of such report, the Writ Court cannot pass any order, directing the police authorities to provide assistance for the execution of the decree.

The remedy of the petitioner, if at all, would be before the learned executing Court.

The writ petition is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)