

12.09.2022
Court No.13
Item No.22
AP

WPA 17516 of 2022

**Om Prakash Agarwal
Vs.
State of West Bengal & Ors.**

Mr. Kaustab Chandra Das
Mr. Rupayan Deb
Mr. Sarbesh Pal
Ms. Priya Nandy

... For the Petitioner.

Mr. Anjan Ray
Mr. Subhajit Chowdhury

... For the Respondent Nos.5 to 7.

The petitioner in essence seeks enforcement of an ad interim order passed by the learned Civil Judge (Senior Division) at Sealdah in Title Suit No.100 of 2021.

The petitioner seeks particularly implementation of the order dated 31st May 2021 before a writ court.

The writ court does not enforce the orders of a Civil Court since the latter is quite equipped under CPC to do so.

It is submitted that application under Section 24 of the CPC has been filed for transfer of the suit to another bench on the allegations contained in the application.

It is ordered that the said application under Section 24 of the CPC be disposed of by the District Judge, Alipore mandatorily and positively within a period of seven days from the date of communication of a copy of this order.

All orders passed by the Court below shall be enforced only after fair opportunity given to all the parties to file pleadings and after an appropriate hearing.

With the aforesaid directions, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)