

W.P.A. No. 27315 of 2022

Amiya Kumar Biswas
Vs.
State of West Bengal & Ors.

Mr. Ujjal Ray
... for the petitioner

Ms. Piyali Sengupta,
Ms. Rupsha Chakraborty
...for the State

Despite service, none appears for the respondent nos. 2 and 3, although the petitioner and the State are represented through counsel.

Affidavit-of-service filed in Court today be kept on record.

The limited grievance of the petitioner is that despite having applied for certified copies of the necessary orders and/or papers from the Court of the Chief Judicial Magistrate, Barasat, with regard to an execution case allegedly filed against the petitioner, such certified copies have not yet been handed over to the petitioner.

It is submitted that the petitioner, despite having cleared off all maintenance amounts in favour of his wife, is suffering the risk of imminent arrest, since a warrant of arrest has already been issued against the petitioner in respect of the said execution case.

In view of the above, the cause of action made out in the present writ petition is extremely urgent.

However, in view of limited conspectus of the matter, it is of no use to keep the writ petition pending unnecessarily before this Court.

In view of the innocuous nature of the order proposed to be passed, further service of notice on the respondent nos. 2 and 3 is dispensed with.

W.P.A. No. 27315 of 2022 is disposed of by directing the respondent nos. 2 and 3 to ensure that the certified copies applied for by the petitioner, the receipts of which are annexed to the present writ petition, be handed over to the petitioner as expeditiously as possible, positively within a fortnight from the communication of this order to the respondent nos. 2 and 3.

The petitioner shall communicate the present order to the respondent nos. 2 and 3 at the earliest, accompanied by a server copy of this order.

The respondent nos. 2 and 3 shall act on the server copy of this order without insisting upon prior production of a certified copy thereof for the purpose of due compliance of this order.

There will be no order as to costs.

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

(Sabyasachi Bhattacharyya, J.)