

12.03.2024
Serial no. 69
[G.S.D]

CRR 1004 of 2024

In the matter of : Namita Dolui & Ors.

... .. Petitioners

Mr. Debasish Kar

... for the petitioners

The execution case being MEX Case No. 491/22 arose out of Misc. Case No. 175 of 2016, which is pending before the Id. JM, 4th Court, Barrackpore.

The petitioners have already preferred an appeal which is pending before the Id. Addl. District Judge, Barrackpore.

In the meantime, warrant of arrest has been issued according to the petitioners.

The remedy of the petitioners is to approach the appellate court and this court will not circumvent the process of the Id. Appellate court, at this stage, which is in seisin, of the matter. After exhausting the process in the appellate court, the petitioners can only approach this court either in the main case or, in the execution case.

With the aforesaid observations, CRR 1004 of 2024 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)