

D/L 61
06.02.2025
Kausik
ct.no.35

W.P.A. 2137 of 2025

**Abbasuddin Sardar
Versus
The State of West Bengal & Ors.**

Mr. Tushar Kanti Mukherjee

...for the petitioner.

Mr. Vimal Kumar Shahi, AGP
Ms. Pratiti Das

...for the state.

Petitioner has approached this court in respect of the order passed by the learned Executive Magistrate in MP Case No. 18/2025 which was instituted under the relevant provisions under section 163(2) of BNSS.

State has submitted a report. Let the same be kept with the record.

Since the petitioner has already approached the learned Executive Magistrate, it would be the duty of the learned Executive Magistrate to exhaust his powers for implementing the orders and directions so passed. This court under Article 226 of the Constitution of India will not entertain or act as an executing court of the Executive Magistrate.

With the aforesaid observations WPA 2137 of 2025 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)