

06.05.2025

Item No.58

Ct. No.35

dc.

W.P.A. 9158 of 2025

**Rupa Sharma
versus
The State of West Bengal & Ors.**

Mr. Mit Guha Roy ... For the Petitioner.

Mr. Lalit Mohan Mahata,
Mr. Prasanta Behari Mahata ... For the State.

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

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioner is aggrieved by the fact that warrant of arrest issued by the learned Judicial Magistrate, 8th Court, Alipore in connection with M.EX. Case No. 288/2022 is not being executed by Maheshtala Police Station.

State has submitted a report which reflects that the warrant of arrest although could not be executed, but on 30th April, 2025, the respondent no.4 Rajkumar Sharma appeared before the court and thereafter the said warrant of arrest has been recalled. Since the respondent has already appeared before the court, I am of the view that the learned Judicial Magistrate in seisin of the execution case will exhaust the process of law and would compel the respondent to pay and clear the arrear amount.

With the aforesaid observations, the writ petition being WPA 9158 of 2025 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)