

**07.05.2025**  
Court No. 35  
Item No.53  
Rakib

**W.P.A. 9416 of 2025**

**Smt. Sarmistha Mandal.**  
**VS**  
**The State of West Bengal & Ors.**

Mr. Mit Guha.  
... for the Petitioner.  
Mr. Sanjib Das.  
...for respondent no.4  
Ms. Sabnam De Bardhan, Jr. Govt. Adv.  
Ms. Kakali Naskar.  
...for State.

Petitioner is aggrieved since the execution return of the distress warrant issued in connection with the Misc. Exe. No. 663/2024 is not given effect to by the concerned police authorities.

Since the execution case arises out of a proceeding under Section 12 of the PWDV Act and the learned Judicial Magistrate is in seisin of the issue, if the petitioner is aggrieved by any order and/or non-compliance of any order of the learned Judicial Magistrate, petitioner would approach the statutory forum under the Cr.P.C. or the PWDV Act.

State has submitted a report. Report of the State reflects that the distress warrant was being executed with a nil seizure list being prepared.

In view of the aforesaid petitioner would advance her prayer before the jurisdictional Court in seisin of the issue.

With the aforesaid observations WPA 9416 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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

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.)**