

Sl.No. 301 08.05.2025
Court No. 35
G.S.Das

WPA 9549 of 2025

Shyama Rani Roy
-Vs-
The State of West Bengal & Ors.

Ms. Anita Kaunda
Mr. Anubrata Dutta
... for the Petitioner(s)
Mr. Tanmoy Kr. Ghosh, Id. SGA
... for the State-respondent(s)

The petitioner has prayed for execution of the warrant of arrest in connection with C.Ex. 45 of 2023 which is pending before the learned Judicial Magistrate, 2nd Curt, Barasat. The petitioner has also prayed for execution of her residential rights.

So far as the issue relating to warrant of arrest is concerned, the same is a judicial order. Consequently, the petitioner should approach the court having revisional jurisdiction over the original court being learned Judicial Magistrate and the other relief prayed for, if any, could not be executed because of the orders passed by the learned Judicial Magistrate, which

is *in seisin* of the issues *presently* pursuant to the directions passed by the High Court.

The execution process, if any, should be made either through the Appellate Court and/or Revisional Court of the learned Judicial Magistrate, as such, the writ petition is not maintainable.

However, the police authorities are directed to comply with the order passed by the learned Judicial Magistrate and submit a fresh report before the concerned court on the next date so fixed.

With the aforesaid observations, WPA 9549 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record.

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

(Tirthankar Ghosh, J.)

