

D/L 13
25.06.2025
ct.no.35
Kausik

W.P.A. 11836 of 2025

**Mala Ghosh
Versus
State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee
Mr. Samrat Banerjee
Mr. Raja Roy

...for the petitioner.

Mr. Rajarshi Basu
Mr. Abu Siddique Mallik

...for the State.

Petitioner has approached this Court as according to her the distress warrant so issued by the learned Judicial Magistrate, 5th Court, Hooghly was not executed.

Petitioner intends to rely upon certain documents to establish that the private respondent is staying at the address referred to in the cause title.

Police authorities have conducted enquiry, visited the place and they have on enquiry found that at Block 'F', Plot No. 44, Post Office Kalyani and Police Station Kalyani, District Nadia the respondent no. 7 Moloy Kumar Ghosh do not stay. It has also been reflected that the said property which has been

referred to has been sold to one Tapu Saha @ Apu Saha in the year 2009.

Until and unless proper address and whereabouts are furnished, at this stage, it is not possible for the local police authorities to trace out the respondent no. 7.

Petitioner would furnish proper address of the respondent no. 7 before the learned Judicial Magistrate, 5th Court, Chinsurah, Hooghly. Learned Court would pass appropriate directions for execution of the distress warrant upon the concerned police authorities which would be complied in accordance with law.

Liberty is granted to the petitioner to take out an appropriate application, if required, the learned Magistrate would seek the assistance of the Officer-in-Charge of the Missing Persons Bureau, CID, West Bengal.

With the aforesaid observations WPA 11836 of 2025 is disposed of.

Report so submitted be kept with the record. 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.)