

04.08.2025
Court No. 35
M/L. No.24
Rakib

W.P.A. 16909 of 2025

**Munshi Hasibar Rahaman
VS
The State of West Bengal & Ors.**

Mr. Maroof Zahedi
...for the Petitioner.
Mr. Suman Sengupta
Ms. Amrita Panja Moulick
...for the State.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner is aggrieved by the fact that in spite of the Executive Magistrate, Arambagh, Hooghly having passed directions in M.P. No.1023/2025 dated 04.07.2025 no steps have been taken by the Inspector-in-Charge, Arambagh Police Station.

Since, petitioner has approached this Court by way of invoking under Article 226 of the Constitution of India, this Court unequivocally states that the writ Court is never an executing Court of the Executive Magistrate, particularly with regard to orders passed under Section 163 of BNSS or Section 126 of the BNSS.

Petitioner will approach the concerned Executive Magistrate for enforcing his order. No direction can be passed in the present writ petition.

With the aforesaid observations WPA 16909 of 2025 is disposed of.

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.)