

13.08.2025
Court No. 35
M/L. No.67
Rakib

W.P.A. 27598 of 2024

Tarun Bhunia & Anr.
VS
The State of West Bengal & Ors.

Mr. Balailal Sahoo
Mr. Manoranjan Mahata
...for the Petitioners.
Ms. Sonal Sinha
Mr. Saptak Sanyal
...for the State.
Mr. Sujit Bhunia
...for Respondent nos. 6 to 14.
Mr. Tarun Kumar Das
Mr. Bhaskar Hutait
Mr. Dilip Kr. Shyamal
Mr. Pratap Kumar Yadav
...for Respondent nos. 15 to 21.

Learned advocate for the private respondents submits that J. Misc. case no. 11/2025 has been filed before the learned Civil Judge (Senior Division), 1st Court, Sadar, Paschim Medinipur wherein by an order dated 06.02.2025 the learned Civil Judge was pleased to direct amongst others that the execution case being Title Exn. Case no. 6 of 2023 would attain finality and would abide by the order of J. Misc. Case and consequently date was fixed for S/R and appearance of O.Ps.

Having considered that the Civil Court is still in seisin of the issue, so far as the dispute relating to the plot is concerned, I am of the view that further directions of this Court are unwarranted. Earlier there was a direction on 12.12.2024 as the crops would have been destroyed had it been not handed over to the parties before this Court. As such a deposit of Rs.50,000/- was

directed to be deposited by the petitioner with the learned Chief Judicial Magistrate, Paschim Medinipur.

In view of the Civil Court yet to take a decision in respect of the particular plot of the property which was the subject matter of the execution case relating to the decree having been passed in connection with T.S. 169/1998. The learned Civil Judge (Senior Division) 1st Court, Sadar, Paschim Medinipur is directed to pass directions for release of the said Rs.50,000/- after ascertaining regarding the fate of the case pending before him.

With the aforesaid observations WPA 27598 of 2024 is disposed of.

Photostat copy of the order passed by the learned Civil Judge (Senior Division) 1st Court, Sadar, Paschim Medinipur be kept with the record.

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.)