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13.01.2025
Bpg.
ct.no.35

W.P.A.30731 of 2024

**Sareja Bibi
Versus
The State of West Bengal & Ors.**

Mr. Tapas Kumar Dey
Ms. Susmita Mondal
Mr. Rakesh Roy.
...for the petitioner.

Mr. Swapan Banerjee
Mr. Diptendu Narayan Banerjee.
...for the State-respondents.

Mr. Nirmalendu Patra
Mr. Debnarayan Patra.
...for the respondent nos.4, 5 & 6.

Petitioner is aggrieved by the fact that in spite of the order passed by the learned Executive Magistrate in M.P. Case No.1282 of 2024 dated 03.12.2024, she is unable to implement the said order for harvesting her crops.

Learned advocate for the private respondent nos. 4 to 6 refers to an order dated 24.12.2024 whereby the said proceedings were dropped and disposed of as the order was obtained by suppressing that a civil suit is pending before the learned Civil Judge, Senior Division.

Mr. Banerjee, learned advocate appearing on behalf of the State submits that in view of the Executive Magistrate's order not existing till date the

primary prayers of the petitioner in the writ petition do not exist.

In view of the aforesaid, WPA 30731 of 2024 is dismissed.

However, the petitioner will be at liberty to approach the jurisdictional civil court for appropriate directions.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)