

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

WPO/495/2025

SHAHIN PARVEEN @ SHAHEEN PARVEEN @ NAHED

-VS-

THE STATE OF WEST BENGAL AND ORS.

BEFORE:

The Hon'ble JUSTICE TIRTHANKAR GHOSH

Date: 25th July, 2025.

Appearance:

Mr. Partha Sarathi Das, Adv.

Ms. Shanta Sarkar, Adv.

Mr. Bibek Dey, Adv.

Mr. S.M.U.E Sadhique, Adv.

Ms. Purnima Panda, Adv.

...for the petitioner.

The Court : Affidavit of service filed be kept with the record.

Petitioner is aggrieved by the fact that in spite of directions passed upon the Inspector-in-Charge of Beniapukur Police Station, the warrant of arrest which has been directed by the Principal Judge, Family Court, Calcutta is not being executed and although the warrantee was found at his house, no steps have been taken. Needless to say that the warrant was issued in respect of Misc. Exeuction Case No. 33 of 2022. The order which has been referred is of 18.04.2024. Thereafter, all the orders which have been placed on record reflect non-execution return of the warrant of arrest. On 27.01.2025, it has been categorically recorded that the petitioner-wife before the learned Principal Judge, Family Court submitted that she would ascertain the address of the husband and inform the Court.

Having considered that the learned Family Court is in seisin of the issue under a particular statute and if the petitioner is aggrieved by any action or inaction of the concerned Court or any steps not being implemented by the police authorities pursuant to directions passed by the said Court, petitioner would approach the appellate or the revisional Court of the said statutory Court. This Court under Article 226 of the Constitution of India will not interfere when an alternative remedy is available under the statute.

With the aforesaid observations, WPO No. 495 of 2025 is disposed of.

(TIRTHANKAR GHOSH, J.)