

APOT 291/2025
IA NO:GA/1/2025, GA/2/2025

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
ORIGINAL SIDE

SHAHIN PARVEEN @ SHAHEEN PARVEEN @ NAHED
VS.
THE STATE OF WEST BEGAL AND ORS.

BEFORE:

THE HON'BLE JUSTICE SUJOY PAUL, ACTING CHIEF JUSTICE
AND

THE HON'BLE JUSTICE PARTHA SARATHI SEN

Date : 28th November, 2025.

Appearance:

Mr. Partha Sarathi Das, Adv.
Mr. Shah Md. Umer, Adv.
Ms. Purnima Panda, Adv.
... for Appellant
Mr. Subhajit Chowdhury, Adv.
... for State

The Court: 1. Mr. Partha Sarathi Das, learned counsel appears for the appellant and Mr. Subhajit Chowdhury, learned counsel appears for the State.

2. IA No: GA/1/2025 seeking condonation of delay of 24 days is taken up. In absence of opposition and for the reasons stated in the said application, delay is condoned. GA/1/2025 is allowed.

3. Heard on admission.

4. This intra-court appeal assails the order dated 25th July, 2025 passed by the learned single Judge in WPO 495 of 2025, whereby the WPO was disposed of.

5. The principal grievance of the present appellant/petitioner was that in Miscellaneous Execution Case No.33 of 2022 although the trial Court is issuing warrant, the said warrant is not translated into reality and police authorities are not executing the same. The learned Judge opined that if the appellant is aggrieved, the appropriate remedy is elsewhere. The learned Judge also recorded that the petitioner was required to furnish correct address of the husband.

6. On a specific query from the Bench, learned counsel for the appellant submits that the address which is mentioned in the cause title of the main case before the trial Court is the correct address.

7. In our considered opinion, the learned single Judge has taken a plausible view. The family Court is not helpless or powerless to ensure that its warrant is executed provided the appellant has provided the correct address etc. If the appellant can very well apprise the same Court that its warrant is not executed and if still aggrieved by the action or inaction of the concerned Court, can file appropriate proceedings namely, revision or appeal.

8. Since a plausible view is taken, we find no reason to interfere. The appeal fails and is hereby dismissed.

9, With the dismissal of the appeal, the stay application, IA NO: GA/2/2025, also stands dismissed.

(SUJOY PAUL, ACJ.)

(PARTHA SARATHI SEN, J.)