

01 **06.03.2026**
(DL) Court No. 05
 (Suwendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 3237 of 2026

Rita Bhowmick
-Versus -

The State of West Bengal & Ors.

Mr. Kushi Prasun Chatterjee
Mr. Somir Kumar Daskar
.....for the petitioner

Mr. Santi Ranjan Das
Ms. Payel Mitra
....for the State respondents

Mr. Tanmoy Bhattacharya
Ms. Dipshikha Bandopadhyay
.....for the respondent nos. 4 and 5

1) Affidavit of service filed on behalf of the petitioner is taken on record.

2) Learned advocate representing the petitioner has submitted in reference to a final order dated 29th June, 2010 passed by a Civil Court (hereinafter referred to as “said order”) that in spite of initiating execution proceeding in accordance with law concerned police authorities are not taking necessary steps to evict the defendants as per said order. Prayer is made for issuance of mandamus directing police authorities to

facilitate eviction of the defendants based on said order.

3) Prayer of the petitioner is resisted by learned advocates representing the State respondents and respondent nos. 4 and 5.

4) It is submitted by learned advocate representing respondent nos. 4 and 5 that scheduled property in connection with the suit is different and an attempt has been made on behalf of the petitioner being plaintiff in the suit to get the private respondents evicted from the part of the property which is not within the schedule of the plaint.

5) Be that as it may, it appears from the respective submissions made on behalf of the parties that petitioner by filing this writ petition, *inter alia*, has prayed for direction upon the concerned police authorities which would facilitate eviction of private respondents based on said order.

6) Issue involved in this writ petition is purely civil in nature for which petitioner is required to take necessary steps in accordance with law. Writ court should restrain itself in passing direction upon the concerned police authorities for expediting execution of the decree. Hence, this Court is not inclined to interfere with the writ petition.

7) Writ petition stands dismissed.

8) However this order shall not preclude the petitioner to take steps in accordance with law, if said order still subsists.

9) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)