

In The High Court at Calcutta
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 12974 OF 2026

PARUL GOL
VS.
THE STATE OF WEST BENGAL AND OTHERS
.....

Mr. Tanmoy Chowdhury, Adv.
Ms. Ritoprita Ghosh, Adv.
Ms. Sulagna Sarkar, Adv.
...For the Petitioner

Ms. Anita Kundu, Adv.
Ms. Sumita Sarkar, Adv.
...For the State

Mr. Radhasyam Maiti, Adv.
Mr. Manoranjan Jana, Adv.
Mr. Mitali Jana, Adv.
...For the Private Respondents

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that Title Suit No.115 of 2020 was decreed *ex-parte* on 22nd December, 2025 thereby declaring that petitioner being plaintiff therein has right, title, interest and possession over the suit property and respondent nos.7 & 8 being defendants therein were restrained from disturbing peaceful possession of the plaintiff over the suit property.
3. Prayer is made in this writ petition for giving direction upon the concerned police authorities for implementation of the decree/order dated 22nd December, 2025.
4. State respondents and respondent nos.7 & 8 are represented by learned advocates.
5. It is submitted on behalf of the respondent nos.7 & 8 that an application under Order IX Rule 13 read with

Section 151 of Code of Civil Procedure was filed by the private respondents being M.C. No.06 of 2026 before the Civil Court and same is pending for adjudication.

6. Today if Court directs concerned police authority to take steps for implementation of the order dated 22nd December, 2025, in that event, aforesaid misc case of the private respondents will become infructuous.
7. In addition thereto petitioner needs to take necessary steps for execution of the decree passed by the Civil Court on 22nd December, 2025 in the aforesaid title suit. Writ Court is not the appropriate forum for execution of decree.
8. Hence, no relief can be granted to the petitioner as prayed for in this writ petition.
9. Writ petition stands dismissed.
10. However, this order shall not preclude the petitioner to approach the appropriate forum.
11. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)