

In the Court of Ld. Judicial Magistrate, 1st Court, Basirhat, North 24 Parganas

Present: Shri Avisek Minj
(J.O. Code No. WB 01520)

Execution Case No. 378 Of 2023
CNR No. WBNP11-003679-2023
Chandana Mondal Vs Ramjoy Mondal

Order dated: 31-07-2024

1. Petitioner files hazira. One N/E/R of W/A is received from Nazat P.S. Petitioner is present by filing hazira.

2. Ld. Advocate for the petitioner raised objection on the conduct of the Warrant executing Officer or Officer in-charge of Nazat P.S for non-executing the W/A against the O/P namely, Ramjoy Mondal, S/O - Sukumar Mondal of Vill+ P.O.- Jhupkhali, P.S.- Nazat, Dist- North 24 Parganas. It appears from the case record by an order dated 08.02.2024 this court issued W/A against O.P. but one N/E/R in a prescribed format is filed by the concerned P.S. seeking another date to execute the same vide letter dated 20.05.2024. Thereafter by an order dated 21.05.2024 this court issued fresh W/A against the O/P and again today concerned P.S. filed another N/E/R in a prescribed format seeking another date to execute the same. For that reasons, the instant case is not being proceed in accordance with law and the petitioner has been made to suffer.

3. Heard the submission of the Ld. Advocate appearing for the petitioner. Perused the order sheets and other materials available on record. Considered.

4. Considering above a last opportunities is given to the Officer in charge of Nazat P.S. and he is ordered to submit written explanation on the next date fixed.

5. In this circumstances and considering the conduct of the concerend Officials of the Nazat P.S., the O/C, Nazat P.S. is hereby directed to execute the W/A against the O/P by himslef as prima facie the conduct of the concerned Officials of the Nazat P.S. has not been found to be acceptable as per the law. Non-compliance of the Judicial order of the court shall be viewed seriously and proceeding shall be drwan against the erring officials. Issue reminder through

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the Superintendent of Police, Basirhat Police District at once. Petitioner is directed to file fresh requisite accordingly.

6. To 24.09.2024 for Appearance, E/R of W/A with written explanation report from the O/C, Nazat P.S. i/d necessary order will follow.

7. Let a copy of this order be sent to the Superintendent of Police, Basirhat Police District and O/C, Nazat P.S. for their information and taking necessary action.

BC – II to comply.

D/C by me
Sd/- Shri Avishek Minj
Judicial Magistrate

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Judicial Magistrate,
1st Court, Basirhat