

24.09.2025

Court No.22

DL/Item No.-15

(pp)

CRR 4101 of 2025

In the matter of: Hirendra Nath Kundu petitioner.

Mr. Debasis Kar,
Mr. Husen Mustafi

....for the petitioner.

1. The Petitioner, being the husband of Opposite Party No. 2, has filed this revisional application challenging the order dated 10th July, 2025, passed by the learned Judicial Magistrate, 2nd Court, Ranaghat, Nadia, in Misc. Execution 334(IV) of 2024.
2. The Petitioner submits that the learned Magistrate, after directing his wife to file fresh requisites, issued a distress warrant against him and fixed a date for the examination of the execution report.
3. Upon hearing the learned advocate for the Petitioner and considering the facts presented, this Court is of the view that the order issuing a distress warrant is not purely interlocutory, as it substantially affects the Petitioner's rights.
4. The challenge to the legality and propriety of the said order raises an arguable question that mandates a detailed examination.
5. Accordingly, this revisional application is admitted for hearing.
6. The learned advocate for the Petitioner is directed to serve notice, along with a copy of the revisional application, upon Opposite Party No. 1/State through the office of the learned

Public Prosecutor, High Court, Calcutta, and upon Opposite Party No. 2 at her postal address through speed post with acknowledgment due. An affidavit of service shall be filed on the adjourned date.

7. The operation of the distress warrant and all further proceedings in Misc. Execution 334(IV) of 2024 are hereby stayed until 17th November, 2025, or until further orders, whichever is earlier.
8. Let this matter appear on 17th November, 2025, before the appropriate Bench having determination

(Uday Kumar, J.)