

CRR No. 5327 of 2024

In the matter of : Biplab Khatua ...petitioner.

Mr. Gouranga Kr. Das
Ms. Poulami Dutta ...for the petitioner.

The petitioner has assailed the order dated 26th November, 2024 passed by the learned Judicial Magistrate, Kakdwip, South 24 Parganas in M Execution Case No.53 of 2019 directing issuance of warrant of arrest against him.

Learned counsel for the petitioner submits that the entire amount of Rs.86,000/- with regard to which the execution case was filed has been paid by the petitioner to the opposite party.

The opposite party has claimed further amounts in the said execution case for which the execution case is still pending.

According to the petitioner, an amount of Rs.3,25,000/- out of Rs.6,46,000/- has been paid to the petitioner.

Upon consideration of the material on record this Court is of the view that the matter needs to be heard in the presence of the opposite parties.

The petitioner is directed to serve copy of the application along with annexure thereto upon the opposite parties and file affidavit of service on the adjourned date.

Let the matter appear under the heading “Contested Application” on 27th March, 2025.

The warrant of arrest issued vide order dated 26th November, 2024 by the learned Judicial Magistrate, Kakdwip, South 24 Parganas in M Execution Case No.53 of 2019 be stayed till the adjourned date.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)