

In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION

(Appellate Side)

W.P.A. 14552 OF 2026

GAFUR SEKH

VS.

THE STATE OF WEST BENGAL AND OTHERS

.....

Mrs. Pampa Dey (Dhabal), Adv.

...For the Petitioner

Mr. Suryaneel Das, AGP

Mr. Anup Dasgupta, Adv.

...For the State

Mr. Tapas Kumar Mondal, Adv.

Mr. Partha Sarathi Basu, Adv

...For the Zila Parisad, North 24 Parganas

Mr. Duke Banerjee, Adv.

Mr. Ranjit Kumar Barman, Adv.

...For the Respondent Nos.11-15

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. By presenting this writ petition petitioner has prayed for direction upon the concerned police authority to take steps based on the complaint lodged.
3. There is an alternative remedy available to the petitioner under Section 175 (3) of BNSS, 2023, in the event, complaint of the petitioner is not transformed into FIR.
4. In this regard, reliance is placed on the judgment of the Hon’ble Supreme Court reported in **(2007) 6 SCC 171 (Aleque Padamsee and others vs. Union of India and others)**.
5. Hence, writ petition is not entertained and same stands dismissed.
6. However, this order shall not preclude the petitioner to approach the jurisdictional Magistrate in pursuit of remedy.

7. If right of the petitioner to run Ferry Ghat is impacted by acts and action of any authority or individual, in that event, petitioner shall be at liberty to approach appropriate forum.
8. Parties to act on the server copy of this order duly downloaded from the official website of this court.

(SAUGATA BHATTACHARYYA, J.)