

S/L 19
14.09.2020
Ct. No. 5
GB

W.P.A 6194 of 2020
CAN 1 of 2020
(Old No. CAN 4520 of 2020)

Dilip Bhattacharjee
Vs.
The State of West Bengal & Ors.
(Through Video Conference)

Mr. Kamal Kanta Kar.
...for the petitioner.

Mr. Subhankar Chakraborty.
...for Respondent no.2.

Mr. Debjit Mukherjee,
Mr. Kishor Banerjee,
Ms. Kasturi Tarafdar.
...for Respondent no.4.

Mr. Subhabrata Datta,
Mr. Debarshi Sarkar.
...for the State.

A letter filed by the police authorities is taken on record.

This writ petition has been filed challenging inaction on the part of the respondent nos. 2 and 3 in taking steps against the respondent no.4 for the alleged irregularities committed by the respondent no.4 as an employee of the ICICI Bank.

The learned advocate for the State-respondent appears before this Court and files a report.

It appears that on receipt of the complaint of the petitioner the police authorities tried to contact the petitioner but could not do so. A General Diary Entry No.

1743 dated July 20, 2020 and Entry No.2034 dated July 23, 2020 was entered in the records of the concerned police station. The respondent no.4 was contacted and enquiry revealed that the respondent no.4 was a sales officer in the year 2015 and never worked in the teller. Moreover, the respondent no.4 had discontinued to be an employee of the ICICI Bank.

The police authorities obtained all bank records relating to the financial transaction for the year 2015 and 2016. It was found that most of the deposits had taken place as account to account transfer rather than cash deposits. Only a single cash transaction of 15 lakhs was credited in the year 2016 which was transferred once again to another account of one Shanti Lal Pincha.

The police authorities have come to a conclusion upon preliminary enquiry that the allegation against the respondent no.4 was not substantiated by evidence and the complaint of the petitioner was false. It is also placed on record by the police authorities that the Income Tax Department has given a notice to the petitioner with regard to such transaction and the proceeding is pending.

Mr. Debjit Mukherjee, learned advocate appearing on behalf of the respondent no.4 submits that the petitioner operates his own bank account and never asked the respondent no.4 to do so.

The Court is satisfied that the police has acted on the complaint. Thus, no order needs to be passed in this application.

A letter filed by the police authorities is taken on record.

Accordingly, WPA 6194 of 2020 along with CAN 1 of 2020 (Old CAN No.4520 of 2020) are disposed of.

There will be, however, no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Shampa Sarkar, J.)