

S/L 07
16.03.2021
Court. No. 16
suwayan

WPA 6612 of 2021

Shahida Begum
Vs.
The State of West Bengal & Ors.

(Through Video Conference)

Mr. Mohinoor Rahaman
Ms. Sneha dutta ...Advocates
...for the Petitioner.

Mr. Subhendu Sen Gupta...Advocate
...for the State.

Affidavit of service filed in Court today, is kept on record.

Mr. Sen Gupta represents the State.

Insofar as the private respondents are concerned namely, the fifth and sixth respondents, it appears that they had been served.

The writ petitioner contends that, the fifth and sixth respondents are the local developers. The writ petitioner had executed an agreement for sale in respect of a particular flat at the locale. The said agreement for sale was executed on March 9, 2018. Pursuant to the said agreement the writ petitioner from time to time had paid a total sum of Rs. 12 lakhs to the said private respondents, who in turn had duly accepted and received the same.

The private respondents then now turned around and failed to keep their commitment and deliver possession of the flat. Repeated requests were made by the writ petitioner

before the private respondents but all had gone into vain. The writ petitioner lodged a complaint on August 15, 2020 before, inter alia, the Officer-in-Charge, Topsia Police Station.

The grievance of the writ petitioner in this writ petition is that despite the said complaint being lodged the police authority still had not taken steps thereunder in accordance with law to carry out the necessary investigation and to institute the necessary criminal case. Such inaction on the part of the police authority is the subject matter of the writ petition.

Mr. Sen Gupta, learned Advocate representing the state had submitted that, pursuant to the said complaint of the writ petitioner a First Information Report duly was drawn up and registered on March 8, 2021 and a criminal case had been registered as Topsia Police Station Case No.34 of 21.

In view of the above, it appears to this Court that, the grievance of the writ petitioner had already been redressed as the police authority had taken all due measures in accordance with law. Nothing survives in the writ petition.

Mr. Subhendu Sen Gupta, learned Advocate appearing for the State, on instruction submits that the police authority will take all the necessary steps in accordance with law as expeditiously as possible in the matter.

In the light of the above, the present writ petition being WPA 6612 of 2021 stands disposed of.

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

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

(Aniruddha Roy, J.)