

09.
18.08.2021.
Ct. No. 11.
F.B.

**MAT 571 of 2021
with
IA No. CAN 1 of 2021
(Via Video Conference)**

**Tapashi Basu
-Vs.-
The State of West Bengal & Ors.**

**Mr. Dipankar Pal
..... For the Appellant.**

**Mr. Raja Saha,
Ms. Rupsha Chakraborty
..... For the State.**

This appeal is directed against an order dated 17th May, 2021 passed by the Hon'ble Single Bench in WPA No. 10494 of 2021.

Learned Counsel appearing on behalf of the appellant submits as follows. The appellant/writ petitioner had prayed for registration of a criminal case against the respondent by treating her complaint as a First Information Report. The Hon'ble Single Bench held that writ jurisdiction cannot be exercised for this when efficacious alternative remedy is available to the petitioner in terms of Section 156(3) of the Code of Criminal Procedure. However, in the meantime the police recorded the complaint of the appellant as Rampurhat PS GD Entry No. 1501 of 2021 dated

31.05.2021. After an enquiry, the concerned officer submitted a prosecution report vide the Rampurhat PS NCR No. 471 of 2021 dated 22.06.2021 under Section 506 of the Indian Penal Code. This takes care of the grievances of the appellant.

Learned Counsel appearing on behalf of the State respondent submits a copy of the report filed by the Superintendent of Police, Birbhum. The report indicates that police had already taken steps as referred to above.

Report of the Superintendent of Police be retained with the record.

It appears that at least after the matter had come up before this Court, the police authorities had taken appropriate steps to redress the grievances of the present appellant.

Affidavit-of-service filed on behalf of the appellant is taken on record. It appears that the respondent no. 3 could not be contacted as the address was reportedly not known.

Presence of the private respondent no. 3 is not insisted upon as the instant appeal is being disposed of on the ground that the respondent authorities have already taken steps to redress the grievances of the appellant.

In view of the fact that adequate steps have already been taken by the respondent police authorities, with which the appellant is satisfied, the cause of action raised by her does not survive. As such, no further order need be passed in this appeal.

MAT 571 of 2021 with **IA No. CAN 1 of 2021** stand thus **disposed of**.

All parties to act in terms of a copy of the order downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Jay Sengupta, J.)

(Subrata Talukdar, J.)