

4.
07.10.2021
S.D.

WPA 14278 of 2021

Nairit Retailer Pvt. Ltd. & Ors.
Vs.
The State of West Bengal & Ors.

Mr. S.K. Bhattacharya
Mr. D. Banerjee
Mrs. Kumkum Mukherjee
....for the petitioners.
Mr. Sandipan Ganguly, Sr. Adv.,
Mr. Sachin Singh
Mr. Satadru Lahiri
Mr. Safdar Azam
....for the Private Respondent.

Mr. Samrat Sen, Sr. Adv.,
Ms. Amrita Panja Moulick
...For the State.

The petitioner has alleged commission of offence of fraud, cheating, criminal conspiracy, criminal breach of trust, deliberate misrepresentation against the private respondents and a representation was made on 19.8.2021 to the Commissioner of Police, Lalbazar and Officer-in-Charge, Special Cell, Lalbazar for registering a specific case against the private respondents. It is pointed out that there has been inaction on the part of the respondent no. 2 who ought to have exercised his power in accordance with law.

I have heard learned Advocate for the petitioner, learned counsel for the private respondents and learned counsel for the State.

On behalf of the State respondent Ms. Amrita Panja Moulick, learned Advocate pressed in service documents to show that there is ongoing enquiry into the complaint of the petitioner against the private respondents and others with the request to provide certain documents viz, agreement in respect of providing financial assistance of Rs. 4,09,00,000/- to the SNL Realty Infra Pvt. Ltd. and others, IT returns of the company as mentioned in petition for the financial year 2017-18, 2018-19, 2019-20, ROC documents including Memorandum of Articles of company, details of repayments (if any) received, details of the person through whom company started business with SNL Realty Infra Pvt. Ltd. and others, NBFC Certificates of finance companies.

Therefore, this Court does not find any inaction on the part of the respondent no. 2.

In the context of the above, the writ application being W.P.A. 14278 of 2021 is disposed of with the direction upon the respondent concerned to conclude the enquiry within scheduled time.

Parties are to act on the server copy downloaded from the Official Website of this Court.

(Shivakant Prasad, J.)