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ORDER SHEET
WPO/1086/2021
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MOU GHOSH
VERSUS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:
THE HON'BLE JUSTICE SHIVAKANT PRASAD
Date: 8th November, 2021.

(Via Video Conference)

Appearance:
Mr. Raghunath Chakraborty, Adv.
Ms. Sonali Ghosh Basu, Adv.
Ms. Sonali Sengupta, Adv.
...for the petitioner

Mr. Debjit Mukherjee, Adv.
Ms. Susmita Chatterjee, Adv.
...for the respondents

The Court: Affidavit of service filed in Court today is taken on record.

The petitioner has alleged police inaction in not proceeding with the investigation into the matter on the basis of the complaint of the petitioner against the respondent nos. 6 to 8.

The contention of the petitioner is that couple of years back in the year 2018, the petitioner was looking for an abode for her peaceful living and entered into an agreement for creation of a lease in respect of a flat measuring 450 sq. ft. situated at B/19K/H/37, Goabagan Street, PS-Burtolla, Kolkata-700006 and for that substantial amount has been paid but the flat has not been given to the

petitioner. So the complaint was lodged with the Commissioner of Police, Kolkata to intervene into the matter. On a complaint of the petitioner, Burtolla P.S. Case No.131 dated 22.08.2021 under Section 420/120B IPC was started against the private respondents for investigation.

The Additional Officer-in-Charge, Burtolla Police Station has submitted a report dated 02.11.2021 stating that in course of investigation relevant documents have been seized and another complaint in respect of non cognizable offence which was received by them. Complaint has been kept in the case diary as a reference. Admittedly, the progress of the investigation became somehow slow due to heavy law and order commitment due to Durga Puja. The respondents police authority assured for carrying out investigation into the case under reference.

Since specific case has been registered on the complaint filed by the petitioner as reflected from the report of the police authority and upon hearing learned Advocate for the petitioner and Mr. Debjit Mukherjee, learned Advocate for the State, this Court finds no inaction on the part of the respondent authority. However, the Officer-in-Charge, Burtolla Police Station is directed to undertake investigation in matter on the basis of the complaint of the petitioner against the respondent nos. 6 to 8 and to conclude the same within the scheduled period.

With the above direction the writ application being WPO No. 1086 of 2021 is disposed of.

(SHIVAKANT PRASAD, J.)