

13.07.2022
Sl.No.382(ML)
srm

W.P.A. No. 4421 of 2022

Ram Krishna Mondal

Versus

The State of West Bengal & Ors.

Mr. Ranjit Kumar Jaiswal,
Mr. Nandalal Pradhan

... for the Petitioner.

Mr. Debasis Sur,
Mr. Santanu Chakraborty,
Mr. Angsuman Patra,
Mr. Himadri Shekhar Paul

...for the Respondent No.5.

Despite service, none appears on behalf of the State-respondents. Affidavit-of-service is taken on record.

From the affidavit of service, it appears that the postal article sent to the respondent No.4 has returned with the endorsement "Deceased".

Although it is the petitioner's case that the respondent No.4 (since deceased) and the respondent No.5 had cheated the petitioner, it is the specific contention of the respondent No.5 that the said respondent also had invested some money with the petitioner, which the petitioner did not return.

In any event, the respondent No.4 has expired, thus no order can be passed in respect of the said respondent.

If the petitioner files a complaint before the Officer-in-Charge, Jangipara Police Station against the respondent No.5, the same shall be considered in accordance with law. During the course of investigation, the counter allegation of the respondent No.5 with regard to having made payment to the petitioner, must also be probed.

The writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)