

07.06.2022
Sl. No.14
srm

W.P.A. No. 7199 of 2021

Sekhar Chandra Banerjee alias Sekhar Banerjee & Ors.

Versus

The State of West Bengal & Ors.

Mr. Subir Kumar Bhattacharyya

...for the Petitioners.

Despite service, none appears on behalf of the State-respondents. This is the second time the State-respondents are absent.

The writ petition has been filed by the uncles and aunts of deceased Rupa Chatterjee, who was a resident of Flat No.2, Ground Floor, P-25, CIT Scheme, Gariahat Road South, Post Office-Lake, Kolkata-700068. According to the petitioners, the death of Rupa Chatterjee was unnatural. The petitioners are the maternal aunts and uncles of the deceased. After the inquest examination and *post mortem*, the body of the deceased was handed over to the petitioner No.1. It is stated that although the unnatural death occurred on June 21, 2018, the petitioners are still in the dark with regard to the opinion of the police and/or progress in the investigation. Whether the death was under mysterious circumstances or under normal

circumstances have not been clarified by the police authorities, whereas the police authorities have sealed the flat.

A prayer is made for a direction upon the police authorities to handover the keys of the flat to the petitioners, who are the sole relatives of the deceased. Such prayer, according to the petitioners, has been made as various precious items, awards and heirlooms are present in the premises. The petitioners apprehend that those precious items of the deceased, would be damaged and destroyed.

The petitioners claim to be the only heirs of the deceased. They claim possession of the flat and the articles therein. However, there is nothing on record to show that the investigation into the death of late Rupa Chatterjee has been concluded or not.

The prayers in the writ petition cannot be allowed at this stage. The petitioners have already approached the Commissioner of Police, Kolkata through their learned Advocate by a letter dated January 20, 2021 ventilating their grievances. The said representation of the petitioners shall be disposed of. A reasoned decision shall be taken and communicated to the petitioner No.1 at the address mentioned in the cause title of the writ petition.

A copy of the writ petition along with a server copy of this order be served in the office of the learned Government

Pleader and before the Commissioner of Police, Kolkata for necessary compliances.

The entire exercise shall be completed within a period of three months from the date of communication of this order.

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.)