

01.12.2022.
Court No.13
Item No. 4
ap

W.P.A. No. 8044 of 2019
Amal Kumar Manna
Versus
The State of West Bengal & Ors.

Mr. Sourav Paul.

...For the petitioner.

Despite service of notice, the State is not represented. Affidavit-of-service filed in Court today be taken on record.

Mr. Tarak Karan, learned Advocate, who normally appears on behalf of the State, is requested to represent in the matter.

The petitioner complains that a commercial vehicle purchased by him under Hire Purchase Finance Agreement from the respondent no.4 was forcibly repossessed and taken away from his client on 17th January, 2019. After such repossession, a notice of demand was issued on the petitioner.

It is submitted that there is inaction on the part of Debra Police Station in Balichak in attending to a complaint of the petitioner. The said complaint was refused.

The petitioner has not produced any communication or a copy of the complaint to Debra Police Station. In the complaint of the Superintendent of Police, Paschim Medinipur, however, there is mention of the petitioner having visited the Debra

Police Station. There is, however, no other evidence before this Court in that regard.

In that view of the matter, this Court is not sure if the petitioner was at all approached by the Debra Police Station. The Superintendent of Police, Paschim Medinipur should have forwarded the complaint of the petitioner to the Debra Police Station.

Let the Superintendent of Police, Paschim Medinipur look into this matter and enquire as to whether any steps have been taken by the Debra Police Station in attending to any complaint of the petitioner.

This Court does not wish to keep the matter pending since the writ petition was not pursued by the petitioner from the year 2019 and was listed in September, 2022 under the heading “old matters”.

This Court orders that any civil remedy that the petitioner may have against the respondent no.4 shall remain reserved to be agitated in accordance with law subject to the laws of limitation.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

Let a copy of this order be communicated to the Superintendent of Police, Paschim Medinipur by Mr. Tarak Karan.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)