

20.07.2022
Sl.No.457(ML)
srm

W.P.A. No. 8871 of 2022
Achintya Kumar Manna
Versus
The State of West Bengal & Ors.

Mr. Shamik Chatterjee,
Mr. Aditya Bikram Mahata

... for the Petitioner.

Mr. Asim Kumar Ganguly,
Mr. Joydip Banerjee

...for the State-respondents.

Mr. Radhasyam Maiti,
Mr. Manoranjan Jana

...for the Respondent Nos.7 & 8.

Affidavit-of-service is taken on record.

The petitioner alleges police inaction. According to the petitioner, the Officer-in-Charge, Pataspur Police Station did not take any steps against the respondent Nos.7 and 8, who had allegedly deceived the petitioner and had obtained his signatures on some black papers. Such blank papers were used for various purpose and it is alleged that more than Rs.7,00,000/- had been siphoned off by the respondent Nos.7 and 8.

Learned Advocate for the respondent Nos.7 and 8 submits that the petitioner is the uncle of the said respondents. He is a bachelor. He is under the care of the said respondents. The money was spent for his treatment.

Under such circumstances, this Court is of the view that the disputed facts cannot be decided by the police authorities. Whether the money was spent for treatment and whether the documents were signed by the petitioner under any misconception or being misled by the said respondents, are to be adjudicated by the appropriate civil court. However, as the petitioner is handicapped and a senior citizen, the police authorities are directed to keep a vigil in order to ensure that the petitioner is neither disturbed nor harmed in any way by the respondent Nos.7 and 8.

As no affidavit-in-opposition has been called for, the allegations against the respondent Nos. 7 and 8 are deemed to be denied.

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.)