

S/L 33
29.06.2022
Court. No. 19
GB

WPA 10550 of 2022

Sri Sajal Maitra & Anr.
VS
The State of West Bengal & Ors.

Mr. Mainak Lal Poddar,
Mr. Sanjoy Ghosh.

...for the Petitioners.

Mr. Amal Kumar Sen,
Ms. Ashima Das (Sil).

...for the State.

Ms. Soni Ojha,
Ms. Sambrita B. Chatterjee.

...for the Respondent Nos.3 & 4.

Affidavit-of-service filed in Court today, be kept with the record.

The petitioners allege inaction on the part of the police authorities. It is alleged that despite a complaint having been lodged against the financier, the police authorities have not taken any steps. On perusal of the complaint filed, it appears that the petitioners are aggrieved because the financier/bank had refused to accept the cheque tendered under the onetime settlement and grant money receipts, for the payments made.

The dispute clearly is one between the borrower and the financier. While the borrower makes an allegation that the financier has refused to accept the cheque for onetime settlement, the financier submits that such cheque was never tendered.

The Court does not find that the police has any role to play in the matter. Whether the onetime settlement had been acted upon by the parties or not, or whether the

financier has been threatening to repossess the mortgaged property or initiate proceedings upon the applicable law, are issues which cannot be decided in this proceeding.

The petitioners are at liberty to approach the appropriate forum for appropriate orders.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

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

(Shampa Sarkar, J.)