

26.07.2022
Sl. No.16(SL)
srm

W.P.A. No. 10880 of 2022

Sri Pradip Dutta

Versus

The State of West Bengal & Ors.

Mr. Subrata Mukhopadhyay,
Mr. Gopal Mondal

...for the Petitioner.

Mr. Amal Kumar Sen, AGP
Mr. Lal Mohan Basu

...for the State-respondents.

Despite service, none appears on behalf of the respondent No.6. Affidavit-of-service is taken on record.

The petitioner has alleged that while residing at Premises No.246, B.T. Road, Police Station-Baranagar, Kolkata-700036, the petitioner entered into an agreement with the respondent No.6, to buy a flat. The respondent No.6 committed breach of contract. The respondent No.6 submitted false documents for obtaining loan. The respondent No.6 and his associates were trying to grab the property. The petitioner was also subjected to mental and physical torture. Hence, the petitioner has prayed that the police authorities be directed to take steps against the respondent No.6.

The police report is taken on record. It appears that premises at 246, B.T. Road is a four-storeyed building situated under Ward No.27 of the Baranagar Municipality. The police authorities talked to all the flat owners. No one in the name of Pradip Dutta, son of late M.L. Dutta was found in the premises. After enquiry from the local people, a person called Pradip Dutta could be traced at flat No.247, B.T. Road. The police spoke to the said person. The police was informed that he had not filed the writ petition. The learned Advocate-on-record for the petitioner was also approached by the police authorities, but the said Advocate also could not provide any information with regard to the alleged Pradip Dutta. The above incidents were registered in the form of a general diary. A letter was sent to the local councillor with regard to the whereabouts of the petitioner and the councillor opined that no one in the name of Pradip Dutta, son of late M.L. Dutta was residing at the building situated at 246, B.T. Road.

Thus, this Court does not find that the police authorities have acted negligently in the matter. The existence of the petitioner is doubtful. Even, the learned Advocate-on-record for the petitioner, who filed the writ petition, could not provide information about the writ petitioner. The writ petition has been filed with false

allegations against the police authorities and the respondent No.6.

Under such circumstances, nothing survives to be decided in the writ petition.

The writ petition is accordingly 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.)